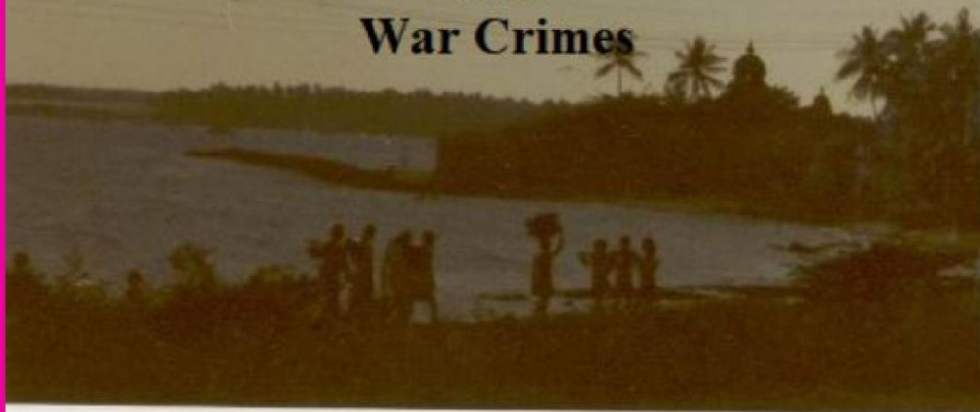


Thoughts and Musings on the Battle for Tamil Eelam

**Sri Lankan Ethnic Conflict,
Human Rights Violations, Terrorism
and
War Crimes**



Thanjai Nalankilli

Thoughts and Musings on the Battle for Tamil Eelam

**Sri Lankan Ethnic Conflict, Human Rights
Violations, Terrorism and War Crimes**

edited by
Thanjai Nalankilli

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AUTHORS

Inia Pandian (1)

J. Muthuraj (1)

Jaganathan Muralidharan (1)

T. Arumugam (1)

Thanjai Nalankilli (14)

V. Subramanian (1)

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Preface

(common to all 5 books)

There are 5 books from us on the "Battle for Tamil Eelam". Together they provide an overall perspective on the ongoing conflict between the Tamil minority and Sinhala majority in Sri Lanka.

Articles in these 5 books were originally published between 1997 and 2019, at various points in the history of the Sinhala-Tamil ethnic conflict/war. Date of original publication is provided below the author name in each article. Our articles provide snapshots of the situation in Sri Lanka between 1997 and 2019, and useful to anyone who wants to understand what happened in Sri Lanka in those fateful years.

We think that the conflict will continue in one form or another, for a separate country or for equal treatment within a federal country, until the minority Tamils feel they are not treated as second class citizens, not economically exploited and their language and culture are respected and protected.

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1. Eyes Of Kuttimani

Thanjai Nalankilli

[First Published: September 1997]

PREFACE

The tragic events that befell on the Tamil people of Sri Lanka during the July 1983 anti-Tamil riots (anti-Tamil program or anti-Tamil massacres) were many. Tamil people were attacked by Sinhalese mobs with the connivance and cooperation of Sinhala security forces in their houses, in their businesses, in their worshipping places, in the streets and even in prisons where they were "guarded" by Sinhalese prison guards. This article is just one snapshot of those tragic events.

THE ARTICLE

Thousands of brave Tamil men and women have sacrificed their lives and limbs so that the next generation of Tamils in the Island of Sri Lanka can live in their homeland (Tamil Eelam) in the northern and eastern regions of the island in peace and freedom as an independent nation among the nations of the world. This is the story of one such freedom fighter named Selvarajah Yogachandran, popularly known by the name Kuttimani.

Kuttimani was a firm believer that only a free, independent country for the island's Tamils in their traditional homeland will protect their legitimate rights. He was arrested by the Sinhala police on April 5, 1981 and was charged with an array of "criminal acts". The Sri Lankan court sentenced him to death.

The presiding judge, having sentenced him to death, asked Kuttimani his last request. Kuttimani's reply showed the world his yearning for a free country (Tamil Eelam) for his people. This was his reply:

"Before my death sentence is carried out, please remove my eyes and transplant them to a Tamil without eyesight. I will not be able to see the free Tamil Eelam but, at least, let my eyes see it."

Kuttimani was sent to the Welikada (Welikade) maximum-security prison to wait for his execution. The prison consisted of many small buildings. There were both Sinhala and Tamil prisoners. The Sinhala prisoners were convicted of criminal offences such as murder, rape, robbery, etc. The Tamil prisoners were all freedom fighters. The Sinhala and Tamil prisoners were kept apart all the time to avoid racial clashes between them. A good and wise policy.

Kuttimani was put in one of the buildings along with 34 other Tamil prisoners. There was a violent race riot in Sri Lanka in July 1983. It was a one-sided riot. Sinhalese went on a

rampage in Tamil areas, torturing and murdering Tamil men and children, raping, torturing and murdering Tamil women and girls, and looting and burning Tamil residences and businesses. Police and army (which were almost exclusively Sinhalese) either participated in this orgy of violence against the Tamils or kept a blind eye. It is widely believed that some senior ruling party (United National Party) members encouraged and helped this onslaught against minority Tamils.

As the Tamils were being slaughtered in the streets, in their businesses and in their homes, the guards (all Sinhalese) at the Welikada prison were also becoming bloodthirsty. On July 25, the guards left open the gates that separated the 35 Tamil prisoners from the Sinhala prisoners. According to Amnesty International, some of the Sinhala prisoners were given alcohol and then were encouraged to attack the Tamil prisoners. A large number of the Sinhala prisoners, with knives and other sharp weapons, stormed into the building where the 35 Tamil prisoners were lodged. They stabbed, beat and tortured the Tamil prisoners. Testicles of some of the prisoners were cut off. In case of Kuttimani, they also gouged both his eyes laughing about his last request of eye donation. They carried the dead bodies of these Tamil prisoners out of the prison cells and put them in front of the Buddha statue in the prison yard (majority of Sinhalese are Buddhists and it is the state religion of Sri Lanka. Most Tamils are Hindus with a fair number of Muslims and some Christians.) All these things happened in front of armed prison guards and they did not stop this violence.

The Sinhala prisoners made sure that not even Kuttimani's eyes would see the free Tamil Eelam, which he longed for and sacrificed his life for. Not only Kuttimani, but thousands of brave Tamil men and women who fought for a free Tamil Eelam have died in the battle fields without seeing their beloved Tamil Eelam as a free nation. What can be a more fitting tribute to these martyrs than an independent Tamil Eelam?

Peace with Freedom! Peace with Justice!!

POSTSCRIPT

The International Commission of Jurists, in its report, concluded that these murders could not have happened without the connivance of prison officials. Amnesty International's investigation revealed that prison guards gave some selected Sinhala prisoners alcohol and encouraged them to kill the Tamil prisoners. The Sri Lankan government, however, did not punish a single prison official or guard.

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2.

President Chandrika Kumaratunga: Words and Deeds

Thanjai Nalankilli

[First Published: October 1997; Updated September 1998]

OUTLINE

Abbreviations

1. Introduction
2. The Devolution Package
3. Arbitrary Arrests and Ransom Demands
4. Disappearances and Rapes
5. No one is punished
6. Tamil Refugees
7. Civilian Casualties of War

Abbreviations

ICRC - International Committee of the Red Cross

LTTE - Liberation Tigers of Tamil Eelam

STF - Special Task Force

UN - United Nations

UNHRC - United Nations Human Rights Commission

1. Introduction

When Ms. Chandrika Kumaratunga Bandaranaike assumed office as the Sri Lankan Prime Minister, and then as the President, she was hailed as a new kind of Sri Lankan leader - a leader, who, though hailing from the majority Sinhala community, will treat the minority Tamils impartially, and grant them their due political rights. Now, that she has been in office for three years, let us take stock and see if she has fulfilled the expectations and hopes many Tamils and many countries around the world placed on this young, charismatic leader.

If one were to score President Chandrika Kumaratunga by her words, and words alone, then, she is truly a different kind of Sri Lankan leader. She knows the right things to say. The world community has been watching with concern the bloodshed between the Sri Lankan Army and the Tamil fighters for years, knowing very well that the bloodshed will end only if the Sri Lankan government grants minority Tamils their legitimate rights and put an end to the human rights violations by security forces. The new president told them exactly what they very much wanted to hear. President Kumaratunga admitted past mistakes by successive governments and spoke of unprecedented levels of autonomy; she talked of far-reaching devolution of powers; she promised a "union of regions" as opposed to the present "unitary state", and an end to human rights abuses by security

forces. The world community applauded her and hoped for an era of peace and prosperity in her rule.

What matters are not the words, but the deeds. How are her deeds measuring up against her words? Here are a few samples. [All the incidents and facts referred in this article are from Indian and western news reports. Nothing is from publications by resident or expatriate Eelam Tamils.]

2. The Devolution Package

This article is not a commentary on the devolution package. The focus here is on the sufferings of the Tamil population in President Kumaratunga's watch, in spite of her oratory of her concern for the Tamil people.

We will, however, in passing, mention that the far-reaching devolution of powers and the unprecedented levels of autonomy she promised in her early days in office have not materialized in the devolution package as it stands today (as of September 20, 1997). The legal draft put forth in 1996 was a watered down version of the package she released in 1995. Even the so called "moderate" Tamil leaders, who still support her, are dissatisfied with the devolution package as it stands now and have told the president that they cannot "sell" her devolution package to Tamil people.

3. Arbitrary Arrests and Ransom Demands

This writer does understand the need for security measures to prevent bombings and assassinations in a country torn by violent ethnic strife. However, security measures do not mean blanket permission to arrest, torture and murder civilians belonging to the minority (Tamil) community. Arrests should be limited to people against whom there are reasonable evidence. But in President Kumaratunga's rule there are arbitrary arrests, torture, murders and disposal of bodies.

Police have also found an easy way to make money. Tamil civilians are arrested for no legitimate reason and then told that they will be released if they pay thousands of rupees (Sri Lankan currency) in ransom. The very fact that arrested Tamils are released on payment of money is clear and conclusive evidence that these arrests have nothing to do with security. These are not isolated events. They have occurred hundreds of times. These arrests and ransom demands have become a part of life for Tamils.

4. Disappearances and Rapes

Ever since the Sri Lankan army captured Jaffna from the Liberation Tigers of Tamil Eelam (LTTE), disappearances and rapes started again in Jaffna in large numbers. Tamils in the east under the army control for many years are all too familiar with it. The situation is serious enough for the United Nations Human Rights Commission (UNHRC) to express concern. It is estimated that disappearances are in the order of 600 to 700 per

year. According to the UN rapporteur Bacre Waly N'diege, **Sri Lanka has the second highest rate of disappearances in the world** (on top of the list is Iraq.)

Tamil life continues to be cheap in President Kumaratunga's rule, in spite of her repeated statements that the military is conducting a war against the LTTE, and not against Tamil civilians. Amnesty International reported that soldiers kill the Tamils instead of arresting them during cordon-and-search operations. Amnesty International has also documented soldiers killing civilians as reprisal for LTTE attacks against the army.

Soldiers and police raping Tamil women continue under President Kumaratunga's rule. International human rights agencies have raised concern about this crime also. Most rapes go unreported. According to a foreign reporter, rape victims seldom file complaint for fear of reprisal.

5. No One is Punished

Supporters of President Kumaratunga may argue that she does not know of these incidents. These are not a few isolated incidents. Many incidences are documented by international agencies. Instead of taking note of these reports and making an effort to end the human rights violations, the Sri Lankan government often accuses these agencies of being biased towards the LTTE. For example, when the International Committee of the Red Cross (ICRC) reported the bombing of a Jaffna church by Sri Lankan Air Force, instead of taking effective measures to prevent bombing civilian targets, the Sri Lankan government accused the ICRC of leaning towards the LTTE.

Even when top Tamil politicians who support her bring specific incidents of abuse to President Kumaratunga's attention, no action is taken. This emboldens the army and police and the abuses continue. Here are two examples.

A man named Sallappa Perinparajah from the Kanguveli village in Trincomalee District in the east sent a message to President Kumaratunga that he feared for his life from a certain army officer. No action was taken. Three weeks later his dead body was found on a road near the village.

A Tamil member of the parliament who supports President Kumaratunga personally brought to her attention that the army was harassing villagers in his constituency. No action was taken. On February 11, 1996, soldiers went house to house in one of the villages (Kumarapuram) in the area and killed 24 people including a three-year old child. Had not many of the villagers ran away and hid in the fields as soldiers entered the village, the casualties would have been much higher. First the army said that it was not the army but some unidentified group wearing army-type uniforms. Then, confronted with overwhelming evidence, the army said that it was the work of about a dozen soldiers. It conducted an internal inquiry headed by a major-general. To our knowledge, no one was punished.

The only way to put an end to the tortures, killings, rapes and unnecessary arrests is to make sure that the culprits are punished in a timely manner and commensurate with the crime. This has not happened in the three years of President Kumaratunga rule in spite of her stated concern for human rights. We hear her words but see no deeds! **Words and deeds, they are not in tune.**

Under mounting criticism from international human rights agencies about the disappearances of Tamil civilians in large numbers, President Kumaratunga announced the formation of citizens committees to monitor it. To our knowledge, no one has been punished under the aegis of these committees although the disappearances continue.

Even in the very few well-publicized incidences where charges were filed against the alleged culprits, nothing happens. What is the purpose of filing charges with lots of publicity if they are not followed through to a conclusion?

In 1995, the elite Special Task Force (STF) commandos picked up some Tamil youths in Colombo at random and took them to their headquarters. There the commandos applied a plastic tourniquet to the necks of these Tamil youths and steadily tightened them until they died. Their bodies were thrown into nearby rivers and lakes. Days later some of the bodies were found. (Incidentally, the tourniquet method of torture is officially approved by the Sri Lankan military.)

Under increasing criticism from international agencies about these and other disappearances and murders, some commandos were arrested and charges were filed against them. However the government prosecutors would not show up in court on trial dates. It happened again and again, and the judge took the case off the court roll. No one was punished. The accused are still with the STF. So much for justice to the Tamils in President Kumaratunga's rule.

(LATE NOTE (added in September 1998): After this article was originally published, in mid 1998, one case involving the particularly brutal rape-murder of a school girl and the murder of her mother and neighbor that received international attention and outcry was tried and four soldiers and one police constable were sentenced to death. They are still in prison. This the one and only conviction to our knowledge in spite of thousands of murders and hundreds of rapes.)

6. Tamil Refugees

Sri Lankan army's Jaffna offensive of 1995 and the successive offensives after that have caused tens of thousands of Tamils to flee their homes. The plight of these refugees is one of indescribable misery. Hunger is common. Medicine is very, very scarce. Mothers with small children were living in streets without any shelter. Young mothers were delivering babies in the streets. What did President Kumaratunga do? She would not allow even a single international relief agency to help the Tamil refugees. Her **foreign minister Lakshman Kadirgamar** said "we do not, at this particular moment, wish to permit outside agencies, including the United Nations, to run any independent relief work in the

country." President Kumaratunga who often says that the war is against the LTTE and not against Tamil civilians owes an explanation to the world why she did not permit international relief agencies, including the United Nations, to help Tamil refugees at a time when they needed help the most. Why did President Kumaratunga refuse to allow relief agencies to help Tamil refugees in the time of their need? Why should Tamil mothers have to live with their small children in the streets without shelter in the sun and in the rain? These relief agencies were ready to build the necessary shelters for them. Why should young Tamil women have to give birth to their babies in the streets? These aid agencies were ready to provide shelter and medical care. Why? **Is it to teach Tamils a lesson** that if they demand their legitimate rights and resist Sinhalese oppression then they will have to give birth to their babies in the streets like animals and tend their young ones in open fields? President Kumaratunga owes an explanation.

There is more about President Kumaratunga government's callous attitude towards Tamil refugees. Some international relief agencies held a meeting in Humbantola to chalk out a plan to help Tamil refugees. A Sinhala mob broke up the meeting. Sri Lankan police did not give any protection. The agencies rescheduled the meeting in Ratmalana. This time the government itself would not allow the meeting saying that the agencies did not get the necessary permission to hold the meeting. First the President Kumaratunga government would not give protection to hold the scheduled meeting in Humbantola, then the government itself would not allow the rescheduled meeting at Ratmalana because they did not get a permission to hold the meeting. The Tamil refugees were suffering without food and shelter at this time. This episode, along with her foreign minister's statement that the government would not permit the agencies, including the United Nations, to do relief work among Tamil refugees, tells volumes about how much President Kumaratunga cares about the welfare of Tamil civilians.

7. Civilian Casualties of War

President Kumaratunga has unleashed one of the bloodiest military campaigns in the long war between the Sri Lankan army and the Tamil Tigers. While she called it the "war for peace" and said that the war was against the LTTE and not against Tamil civilians, the way the military is conducting the war is causing inordinate amounts of civilian deaths. According to independent statistics published in August 1996, one-fifth of all the deaths during the past 13 years was during the first two years of President Chandrika Kumaratunga's rule. (But for the fact that most of the civilians fled the city as the Sri Lankan army approached Jaffna, the civilian toll during President Kumaratunga's rule would have been much higher.)

She seems to show no concern for the lives of Tamil civilians. In 1995, as the army was on the offensive to capture Jaffna, international relief agencies asked for a small safe zone where Tamil civilians could take refuge, safe from aerial bombings and mortar attacks from both warring parties. President Kumaratunga refused. If the war she was conducting was against the LTTE, and not against Tamil civilians, **why didn't she agree to a safe zone?**

President Kumaratunga's refusal refusal to agree to a safe zone for civilians, the heavy civilian casualties during her rule, her refusal to allow international relief agencies, including the United Nations, to help Tamil refugees, all taken together, they seem to show that President Kumaratunga is punishing Tamil civilians for resisting Sinhala domination and oppression all these years. It seems that **she wants to teach Tamils a lesson** never again to protest and resist Sinhala domination. She speaks otherwise but her deeds tell a different reality.

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3. Save the Tamil Children of Sri Lanka

J. Muthuraj

[First Published: December 1997; Updated December 1999]

OUTLINE

Abbreviation

1. Introduction
2. Safe Areas for Tamil Children
3. Starving and Sick Tamil Children
4. Rapes of Teenage Tamil Girls
5. Cold Blooded Murders of Tamil Children
6. A Final Note
7. An Update (1999)

Abbreviation

LTTE - Liberation Tigers of Tamil Eelam

1. Introduction

In recent months the Sri Lankan Foreign Minister, Mr. Lakshman Kadirgamar, has been going around the world and telling foreign leaders and dignitaries that Tamil children are being forcibly conscripted by the Liberation Tigers of Tamil Eelam (LTTE). There are, in fact, some independent reports of conscription of teenagers by the LTTE. We do not approve of forced conscription of minors. We urge that it be stopped immediately.

While we commend the Sri Lankan foreign minister's concern for the welfare of Tamil children, we wonder why he is not doing anything to protect Tamil children in areas controlled by the Sri Lankan army. Is his concern genuine or is it crocodile tears to get foreign financial and military aid to win the war?

Next time the Sri Lankan foreign minister expresses concern and asks for military and financial help, he may be asked to answer some of the following questions about the treatment of Tamil children by the Sri Lankan army and police.

2. Safe Areas for Tamil Children

2A. During the height of the war in 1995, as civilian casualties were mounting, international relief agencies requested the Sri Lankan government to provide a small safe area for Tamil civilians where they can be safe from aerial bombings and artillery bombardments from either side. Why did President Chandrika Kumaratunga refuse to provide such a safe area? If such a safe area had been provided, how many young lives would have been saved? (One hundred? Five hundred? One thousand? Several

thousands?) How many children would be walking today, instead of limping with one leg or crawling with no legs at all? Now that the Sri Lankan foreign minister is expressing concern for Tamil children to world leaders, would he reveal if he tried to persuade President Kumaratunge to provide such a safe area? If so, what reasons did the President give him for her refusal? Is the foreign minister happy with the refusal and resultant death and maiming of so many Tamil children?

2B. Why does the Sri Lankan Air Force bomb and the Sri Lankan army shell temples and churches in which Tamil civilians (including scores of children) take shelter? If it is one or two incidents, we can call them missed targets. That's not the case here. If it was by mistake, it is natural to admit and take corrective action. Why did the Sri Lankan government call the International Red Cross as biased towards the LTTE and threaten to close down its relief operations when the International Red Cross reported the bombing of a church in which well over a hundred civilians, including dozens of children died and more were injured? Now that the Sri Lankan foreign minister is expressing concern for Tamil children, did the foreign minister object to calling the International Red Cross biased?

3. Starving and Sick Tamil Children

When Tamil civilians were fleeing the advancing Sri Lankan army in tens of thousands in 1995, and were in need of food, medicine and shelter, why did the Sri Lankan government refuse to allow any international relief agency to provide aid to them? Was it some type of collective punishment to Tamil civilians? If not, will Foreign Minister Lakshman Kadirgamar enumerate the reason? (The refugees were not in the war area. They had already fled the area.) How many Tamil refugee children died of starvation, malnutrition and lack of medicine because of Sri Lankan government's refusal to allow international relief agencies to help them? How many Tamil mothers gave birth during that period, half-starving, without any medical help and without a tent or shelter over their heads? How many mothers died in that process? How many babies died in that process? How many newborns died within days because of your government's refusal to allow international relief agencies to help the Tamil refugees? Now that the Sri Lankan foreign minister is expressing concern for Tamil children to world leaders, did the foreign minister object to President Kumaratunga the blocking of international relief agencies from helping the Tamil refugee children and infants and let these innocent young lives suffer or die of semi-starvation and lack of medicine? What was President Kumaratunga's reason for blocking help to refugee children though there were widespread reports at that time of the sufferings of these young ones? Was the foreign minister satisfied with the President's explanation in view of the untold sufferings and deaths of Tamil refugee children and infants?

4. Rapes of Teenage Tamil Girls

How many incidents of rapes of Tamil women by Sri Lankan soldiers and police were reported to the Sri Lankan government after he became the Sri Lankan foreign minister? How many of these incidents were teenage Tamil girls? How many of these raped women

were murdered after the rape? How many soldiers and police were charged with these crimes? (Is it less than 5%?) Why only very few incidents, those that received international attention, resulted in filing charges? Can the Sri Lankan foreign minister explain why other incidents were just swept under the rug by the government? Is it true that those reporting rapes (rape victims' relatives) are sometimes tortured and murdered in cold blood within army barracks? Can the foreign minister deny that many of the rapes take place in army barracks? Can this happen without the knowledge of army officers? Can the Sri Lankan foreign minister cite one case, just one case that was filed because an army officer reported the rape or murder? The very few rapes that resulted in filing charges were the result of repeated requests by international relief agencies. The army's way of handling the situation is to restrict the international human rights agencies to enter Tamil areas under army control. Now that the Sri Lankan foreign minister is expressing concern about Tamil children to world leader, did he ever ask the Sri Lankan President to take action on each and every reported case of rape of Tamil teenage girls? Did President Kumaratunga refuse to do so? What was her explanation for the increasing number of teenage rapes and no action by the government?

5. Cold Blooded Murders of Tamil Children

5A. Not counting Tamil children killed by Sri Lankan Air Force bombings and army shelling, how many Tamil children were killed in cold-blood by Sri Lankan soldiers and police by point blank shootings or by using knives and hatchets? How many cases were brought to the government's attention and in how many cases any action was taken? Is it less than 1%? Will the Sri Lankan foreign minister provide a list of such massacres reported by international human rights organizations and identify governmental action in each incidence, such as cases filed against the alleged murderers, disposition of the case, number of convictions and punishment? To our knowledge, as of now (1997), not a single soldier or police is punished.

5B. There is a saying in Tamil that "you need to sample only one grain of rice in a cooking pot to check if the pot of rice is done". So we will take just one specific massacre and put a few questions about it to the Sri Lankan foreign minister. Kumarapuram massacre of February 1996 in which 24 civilians were murdered in retaliation for an LTTE attack in the area (not in the village itself) in which two soldiers died. Does the Sri Lankan foreign minister know the age of the youngest victim (is it age 3?) How many below the age 10 were murdered (is it 4?) How many below age 15 were murdered (is it 13?) Was a teenage girl raped and then murdered? Was a pregnant woman hacked to death? Did the army issue a statement that the army had nothing to do with the massacre and that it was the work of some unknown murderers? Did the army admit later that some soldiers were responsible, only after international human rights agencies and a top Tamil politician who support President Kumaratunga got involved? Did some survivors of the massacre tell that they could identify some of the murderers? Did the army immediately transfer some soldiers from the nearby army camp to another location? What was the purpose of the transfer? Was it to obstruct justice? Would the Sri Lankan foreign minister provide a list of soldiers convicted and what their punishments were for the murder of 24 Tamil civilians? (To our knowledge, no one was punished.) Given the Sri Lankan foreign

minister's concern for Tamil children, as expressed in recent months to foreign leaders, did he ask President Kumaratunga why no one was punished for the murder of 24 Tamil civilians, including 13 under the age of 15, 4 under the age of 10 and one 3 year old? What was the President's explanation? Is the foreign minister satisfied with that explanation?

6. Final Note

I have not given any statistics about the number of Tamil children killed by Air Force bombings and army shelling, number of Tamil children murdered by soldiers and police in cold blood, and number of Tamil teenage girls raped (some murdered after the rape), because the Sri Lankan foreign minister will dispute my numbers. Those interested in such statistics may refer to the Urgent Action Appeals (UAA) issued by Amnesty International and other incontrovertible agencies. Please note that the Sri Lankan army severely limits the entry of Amnesty International and other agencies into Tamil areas under its control. So the numbers from Amnesty International and other agencies is only a fraction of the actual numbers.

In view of the outrages against Tamil children by Sri Lankan army and police and Sri Lankan government's inaction to punish or prevent such incidents, Sri Lankan foreign minister expressing concern for Tamil children to world leaders would be a laughing matter. But we cannot laugh. Our eyes are filled with tears and we are weeping for the Tamil children of Sri Lanka.

Please save the Tamil children of Sri Lanka.

7. Update (January 1999)

The following news item that appeared after the original publication of the article sheds more light on the subject.

At the "Roundtable on Human Rights Developments in Sri Lanka", conducted by the United States Congressional Human Rights Caucus, in Washington, D.C. on December 11, 1998, Ms. Colleen Malone of the Asia Pacific Center for Justice and Peace (a Human Rights Group) stated that the Sri Lankan army forces Tamil children as young as 9 years to work at army camps against their wish and that of their parents.

Did the Sri Lankan foreign minister, who sheds crocodile tears for Tamil children during his visits to foreign capitals, raise the matter with the President of Sri Lanka? If so, why is the practice continuing? Why did the foreign minister not resign from the government protesting the "forced labor" of Tamil children as young as 9 years by the Sri Lankan army?

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4. Satin Curtain over Sri-Lanka (Press Censorship in Sri Lanka)

Thanjai Nalankilli

[First Published: August 1998]

OUTLINE

Abbreviations

Executive Summary

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2. The Satin Curtain
3. During The Offensive for Jaffna
4. After Taking Control of Jaffna
5. Curtain Number 1: Limit Access To Human Rights Groups
6. Curtain Number 2: Accuse Human Rights Groups of Bias
7. Curtain Number 3: Censor Human Rights Reports
8. Our Plea to Donor Countries
9. Concluding Remarks

Abbreviations

LTTE - Liberation Tigers of Tamil Eelam

UK - United Kingdom

UNP - United National Party

EXECUTIVE SUMMARY

This article is about press freedom or lack of it in Sri Lanka. It discusses the tight control the Sri Lankan government exercises on the flow of information out of Tamil areas, in order to hide the atrocities (arbitrary arrests, torture and murder in detention, retaliatory massacres of civilians and rape-murders of Tamil women) committed by army and police. The author asks if the army-police atrocities against minority Tamil civilians have significantly decreased in her rule, as Sri Lankan President Chandrika Kumaratunga claims, why is she controlling information flow out of Tamil areas tighter than ever in the 15 year history of the civil war? That does not make sense.

The author requests donor countries that they make financial aid to Sri Lanka **CONDITIONAL** on it allowing foreign reporters, refugee relief organizations and human right groups full and free access to Tamil areas so that the world may know how minority Tamil civilians are treated by the Sri Lankan army and police. The article ends with an extract from a recent speech on human rights by Justice Marcus Einfeld, Justice of the Federal Court of Australia and the Supreme Court of the Australian Capital Territory.

1. Introduction

Soon after the Second World War, former British Prime Minister Winston Churchill gave a memorable speech on March 5, 1946 at Westminster College, in which he said: "From Stettin in the Baltic to Trieste in the Adriatic, an Iron Curtain has descended across the (European) Continent."

Soviet (Russian) dictator Joseph Stalin pulled down an iron curtain over East European countries his victorious army had occupied at the end of the war, in order to keep the rest of the world blind of the way he brutally and sadistically put down any resistance to Soviet domination over these newly "conquered" territories. Behind this iron curtain millions of peace-loving, freedom-loving people were enslaved brutally under Russian guns and tanks.

Such is the situation today in the island of Sri Lanka. Sri Lankan President Chandrika Kumaratunga has pulled down a "**satin curtain**" over the minority Tamil areas under her control, in order to keep the world blind to the brutality and terror minority Tamil civilians suffer under Sri Lankan army and police. No one is safe. **Thousands of Tamil civilians have been killed** in aerial bombing, naval shelling and mortar attacks on civilian areas including schools, temples, mosques and churches where civilians had taken shelter. In addition, thousands of Tamils have been arrested arbitrarily with out any charges or arrest warrants and many of them are never seen again alive - their **tortured dead bodies** occasionally found in lakes, rivers and road sides; no one has been punished for these murders. Hundreds of Tamil women, teenage girls to mothers in their forties, have been raped at will by soldiers and police and some of them **murdered after the rape**. In spite of hundreds of incidences, only one well-publicized rape-murder incidence was tried and the culprit soldiers and police punished; other rapists and murderers are still in the army and police free. **Whole villages were wiped out** (residents massacred in cold blood including months old babies and elderly men and women in their seventies) in retaliation for LTTE attacks on the army or police; no one has been punished for these massacres. (Full details of these atrocities with dates, places and names may be found in reports issued by international human rights groups such as Amnesty International.)

Sri Lankan President Chandrika Kumaratunga has drawn a satin curtain over the Tamil areas in order to prevent the world from knowing such atrocities in the future. She can say that "there are no more atrocities against minority Tamils and our army and police are behaving well" either by really curtailing the atrocities or by pulling a curtain over the Tamil areas and hiding the atrocities from world view. She has chosen the latter course. Why else would President Kumaratunga refuse entry into Tamil areas by foreign reporters, relief agencies and human rights organizations, and would even take the unprecedented step of censoring human rights reports by unbiased foreign human rights groups?

2.The Satin Curtain

Why do we call it a "satin curtain" instead of an iron curtain? Soviet dictator Stalin's curtain over Eastern Europe was crude and rude - an iron curtain. He did not care much

about world opinion because he did not need anything from the rest of the world. That is not the case with Sri Lanka. It needs financial aid from other countries to offset the huge war budget. So, unlike Stalin's crude and rude iron curtain, President Kumaratunga's curtain to cover up the brutal reality of the Tamil areas is bright colored and smooth - a "satin curtain". Stalin's black and rusty iron curtain or Kumaratunga's colorful and bright satin curtain, they both serve the same evil purpose, to cover up the murders, tortures and rapes committed by army and police.

3. During the Offensive For Jaffna

Let us explore some facets of Sri Lanka's satin curtain.

While repeating again and again that her government respects the human rights of the Tamil minority and that her war was against the Tamil fighters (Liberation Tigers of Tamil Eelam) and not against Tamil civilians, President Kumaratunga unleashed the most brutal, no-holds barred military offensive to wrestle control of the Jaffna Peninsula from the Liberation Tigers of Tamil Eelam. Sri Lankan army, navy and air force showed no regards for Tamil civilian life. According to independent statistics published in August 1996, one-fifth of all the deaths during the past 13 years was in the first two years of President Chandrika Kumaratunga's rule. (These numbers tell more that all the propaganda unleashed by President Kumaratunga and her foreign minister Lakshman Kadirgamar.)

How to hide this total disregard for minority Tamil civilian life and the large numbers of civilian casualties? Answer is simple. Ban foreign reporters, human rights groups and refugee aid organizations not only from Jaffna but also from areas to which Tamil refugees have fled. This is exactly what Sri Lanka did. Her foreign minister Lakshman Kadirgamar said "we do not, at this particular moment, wish to permit outside agencies, including the United Nations, to run any independent relief work in the country." Why not? Answer is simple. Prevent all contact between Tamil refugees and foreigners, even United Nations relief agencies, so that the world does not hear about the enormous civilian casualties through the relief workers. If there is any other explanation, we would like to hear it from foreign minister Lakshman Kadirgamar. Security reasons cannot be attributed here. First, does Sri Lanka consider United Nations relief agencies as security risk? Second, these agencies were prohibited from refugee areas that are far from the war zone.

4. After Taking Control of Jaffna

Once the Sri Lankan army wrestled control of much of Jaffna Peninsula, Tamil civilians returned to their homes from the wretched conditions of refugee camps. (Civilians returning to their homes is no indications of their vote of confidence on the army. After all, during the Second World War most French civilians lived in their homes under Nazi occupation!)

4.1 Disappearances

The horrors and nightmares were not over for these returning civilians. Another phase of fear and terror started in the lives of these innocent Tamil civilians. There were arbitrary arrests of thousands of Tamil civilians and many just "disappeared". The situation is serious enough for the United Nations Human Rights Commission (UNHRC) to express concern. It is estimated that disappearances are in the order of 600 to 700 per year. According to the **UN rapporteur Bacre Waly N'diege**, Sri Lanka has the second highest rate of disappearances in the world (on top of the list is Iraq.)

4.2 Torture-deaths in custody

List of horrors in Tamil areas read like an encyclopedia of crimes against humanity. Torture and torture murders are common in army and police custody. Murdered bodies were mostly tossed into lakes and rivers. Occasionally a tortured dead body would wash ashore. According to Times of India, a respected newspaper from India, **some bodies had their kidneys removed**. Were they harvested for organ transplant?

4.3 Reprisal massacres

If an army patrol is attacked by the Liberation Tigers of Tamil Eelam (LTTE), soldiers took it on innocent Tamil civilians of nearby villages. Everyone in the village, including months old babies, pregnant women and elders in their seventies, were lined up and murdered. (These are all documented by international human rights watch groups.)

4.4 Rape-murders

If a soldier or police liked a Tamil woman, whether it is a teenage girl or a mother in her forties, she was taken to their camp and gang raped. Some were sadistically murdered after the rape. Relatives complaining about it are threatened and in some cases murdered. So many rapes go unreported. There are several hundred rapes each year after the army took control of Jaffna. **U.S. Committee for Refugees** reported in March 1997 that Jaffna residents' fear of rape is as pervasive as their concern about disappearances.

5. Curtain Number 1: Limit Access to Human Rights Groups

There were so many independent human rights reports of massacres, tortures and rapes that it became a problem to President Kumaratunga's assertions to foreign governments that her government has curtailed human rights abuses. So she limited the access of human rights groups into Tamil areas. Every human rights organization working in Sri Lanka has complained that their entry into Tamil areas were severely restricted.

6. Curtain Number 2: Accuse Human Rights Groups of Bias

During Sri Lankan army's Jaffna offensive and following their victorious entry into Jaffna city, there was dire need for humanitarian aid to the thousands of refugees who fled the city and environs. A number of international relief agencies held a meeting in the

Sinhala town of Humbantola to chalk out a plan to help Tamil refugees. A Sinhala mob broke up the meeting saying that the relief agencies are pro-Tamil. Sri Lankan police did not give any protection, and so the agencies rescheduled the meeting in Ratmalana. This time the government itself would not allow the meeting, saying that the agencies did not get the necessary permission to hold the meeting. First the President Kumaratunga government would not give protection to hold the scheduled meeting in Humbantola, then the government itself would not allow the rescheduled meeting at Ratmalana because they did not get a permission to hold the meeting.

When the International Committee of the Red Cross (ICRC) reported the Sri Lankan Air Force bombing of a Jaffna church killing large number of Tamil civilians taking shelter there, instead of taking effective measures to prevent bombing civilian targets, the Sri Lankan government accused the ICRC of siding with the Liberation Tigers of Tamil Eelam (LTTE). What reason does ICRC has to be biased towards the LTTE? ICRC almost lost the government permission to operate in Sri Lanka. President Kumaratunga, while repeating that her government respects the human rights of Tamil minority, tries to silence the independent human rights groups that expose the reality to the world. Sri Lankan officials have criticized Amnesty International to be biased towards the LTTE several times. What reason does Amnesty International have to be biased towards the LTTE?

7. Curtain Number 3: Censor Human Rights Reports

Even with limited access to Tamil areas, Sri Lankan government's accusation against reputed, international human rights group of bias towards the Liberation Tigers of Tamil Eelam (LTTE), and indirect threats to close down the operations of human rights groups in Sri Lanka, a small percentage of murders, rapes and tortures of Tamil civilians by Sri Lankan army and police were exposed by human rights groups. Even this small percentage was large enough to tarnish the image of a humane government that President Kumaratunga and her foreign minister Lakshman Kadirgamar are painting to the world. So President Kumaratunga dropped another layer of her satin curtain.

She ordered that all international human rights organizations operating in Sri Lanka should submit their reports to Sri Lankan government censors before publishing them. This is unprecedented action. According to REUTERS "there have no previous known instances of censorship of human rights groups (anywhere in the world)". Yet this is President Kumratunga, who repeatedly ascertains to the world that murders, tortures and rapes of minority Tamil civilians have come down in her rule, that imposes censorship on independent human rights organizations? If, in fact, murder, torture and rape of Tamil civilians by her army and police have come down significantly under her leadership, she should be inviting every human rights organization to visit the Tamil areas and file their reports uncensored by her government. The very fact that she severely limits access to Tamil areas by human rights groups and then goes to the extreme of censoring the few human rights reports coming out of Tamil areas by independent foreign organizations is proof that murder, rape and torture of Tamil civilians is widespread.

PBI Statement on Government Censorship of Human Rights Reports

The international human rights organization Peace Brigade International (PBI), headquartered in London, UK, had worked in Sri Lanka since 1989. Following the Sri Lankan demand that all human rights groups submit their reports to government censors before release, it closed down its operations in Sri Lanka. Here are excerpts from its **letter to President Kumaratunga**, with copy to her foreign minister Lakshman Kadirgamar:

"On 4 March 1998, at a meeting with members of the Ministries of Defense, Foreign Affairs and Plan Implementation and Parliamentary Affairs, we were informed that we would be unable to continue our work in Sri Lanka without agreeing to new and strict conditions. In particular, those conditions included the demand that we refrain from publishing reports outside Sri Lanka without first submitting them to the appropriate government ministries. No such condition had ever been imposed before, not even under the United National Party (UNP) government. As a non-governmental organization with a firm commitment to non-partisanship and independence, it was unthinkable that we could condition our work in this way. As a result our on-island representatives did not receive the necessary recommendation for residents visas to be issued. Under these circumstances we were forced to withdraw much more abruptly than we had planned."

"These measures undermine **trust in the government**, and weaken the possibilities for achieving true democracy and respect for human rights."

8. Our Plea to Donor Countries

When the Sri Lankan government asks foreign nations for financial and other aid in the future, these nations should ask Sri Lanka to give foreign relief agencies and human rights groups full and free access to Tamil areas. The well-meaning donor countries who generously give financial aid to Sri Lanka do always ask the Sri Lankan government to curtail army and police human rights abuses and to end the war by peace negotiations. Though the Sri Lankan President Kumaratunga and her foreign minister Lakshman Kadirgamar always assure that they would do so, murder, rape and torture of Tamil civilians by Sri Lankan army and police continue unchecked and the Sri Lankan government refuses third party mediation to facilitate peace talks.

We respectfully request donor countries to give future aid **CONDITIONAL** on the Sri Lankan government allowing foreign relief agencies and human rights groups full and free access to Tamil areas so that the real human rights situation in Tamil areas can be reported to the world, and on the Sri Lankan government agreeing to mediated peace talks. If Sri Lanka does not agree to these two reasonable conditions, all aid to Sri Lanka should be withheld. Many governments and individuals of great stature have shown an interest to mediate talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE); while LTTE welcomed such mediation, it is the Sri Lankan government that is refusing mediation.

9. Concluding Remarks

We close this article with an excerpt from a speech on May 25, 1998 at the University of Sydney on the topic of "Rights, Obligations, Responsibilities: The Human Dimension" by **Justice Marcus Einfeld** (Justice of the Federal Court of Australia and the Supreme Court of the Australian Capital Territory):

"The lovely peaceable island of Sri Lanka continues to suffer from civil strife in which death, rape, torture, detention and disappearance of civilians, primarily Tamils, are common occurrences."

"A recognition of the Tamils as a people with its own distinct ethnicity, and a cessation of brutality and a range of other serious human rights violations by security forces, and of armed and aerial attack on Tamil townships, are not too much to ask of the Sri Lankan Government."

"Neither is it unreasonable to ask that the Sri Lankan Government accept third party mediation."

"Neither would it be a threat to the sovereignty of Sri Lanka if journalists and other independent observers were permitted into every part of the country to examine the human rights situation of both Tamil and Sinhalese areas."

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5. Human Rights Classes for the Sri Lankan Army

Thanjai Nalankilli

[First Published: January 1998; Updated September 1998]

OUTLINE

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3. Rape-Murder of another Tamil Mother
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6. What is needed?

Abbreviations

LTTE - Liberation Tigers of Tamil Eelam

STF - Special Task Force

1. Introduction

Sri Lankan President Mrs. Chandrika Bandaranaike Kumaratunga is a public relations wizard. On the one hand, she is carrying out a brutal, no-holds-barred military campaign with no concern for Tamil civilian casualties; also, brutal crimes of rape, torture and murder of Tamil civilians by Sri Lankan army and police personnel abound in Tamil areas controlled by her army. At the same time, she has convinced foreign governments that civilian casualties and human rights abuses are at a minimum, through a public relations blitz by herself, her foreign minister and ambassadors. Simultaneously she restricts foreign reporters, international relief agencies and human rights groups from entering army controlled Tamil areas thus hiding from foreign governments the true extent of civilian casualties and human rights violations. (We challenge President Chandrika Kumaratunga to give a group of foreign reporters unrestricted access to army controlled Tamil areas, including photographing anything they wish (except military installations) and talking with anyone they wish without a soldier or police constable present. Let these foreign reporters tell the foreign governments the truth about what is happening in these areas.)

President Chandrika Kumaratunga's most recent publicity stunt is arranging human rights classes for the army. Forty Sri Lankan army officers attended a six-day human rights course at army headquarters. These officers are expected to go to various army bases and

lecture on human rights to other officers and soldiers. This is nothing but a public relations gimmick put on by President Kumaratunga to show the world that her government cares about human rights. As you read this article, you yourself will come to the conclusion that these human rights classes will not make any dent on the brutal crimes committed by the army and police against Tamil civilians. What is needed is not human rights classes but something else, as we will explain later in this article.

Let us examine a few "human rights violations" by the Sri Lankan army and police during President Chandrika Kumaratunga's rule and see if human rights classes would prevent their recurrence in the future.

2. Rape-Murder of a Tamil Mother

On May 17, 1997, Mrs. Koneswary Murugesapillai, a 35-year old mother of four children, was gang raped by five Sri Lankan policemen in the Batticaloa-Amparai border area. After the rape, the five policemen inserted a grenade into this helpless woman's vagina and exploded it, thus murdering her so brutally.

Is a human rights class necessary to teach anyone that it is wrong to rape a woman and then murder her by inserting and exploding a grenade inside her vagina? Will President Kumaratunga's human rights classes stop such rapes and murders in the future? No! What is needed is something else. We will elaborate on it later.

3. Rape-Murder of another Tamil Mother

In the same area where the 35-year old Koneswary Murugesapillai was raped and murdered, another Tamil mother, 49-year old Thanganayaki, was gang raped by policemen in October 1997. Then the policemen butchered her vagina and she died horribly.

Again, is a human rights class necessary to know that what they did was a crime of the worst kind? President Kumaratunga's human rights classes are not going to put an end to these crimes against helpless Tamil civilians. What is needed is not human rights classes but something else. We will discuss it later.

4. Massacre of Tamil Civilians

On February 11, 1996, Sri Lankan soldiers entered the village of Kumarapuram around 6:00 PM and murdered 24 Tamil civilians in cold blood. This is not civilian casualties in cross fire but a deliberate, premeditated murder. A teenage girl was first raped and then murdered. One murder victim was a pregnant woman. Those murdered include children; the youngest victim was just 3 years old.

Is a human rights class necessary to teach these soldiers that it is wrong to murder a 3-years old child? Will President Kumaratunga's human rights classes put an end to such massacres? No, absolutely not. What is needed is something else, as we will discuss soon.

5. Crimes and Punishment

Human rights classes for the army are nothing but a publicity gimmick by the Sri Lankan President. As we discussed in the preceding paragraphs, perpetrators of these violent crimes against Tamil civilians know that what they did were wrong; no human rights class is necessary for that.

These policemen and soldiers would not rape a Sinhalese woman because they know that they would be sentenced to a long prison sentence. These policemen and soldiers would not murder a Sinhalese child or adult because they know that they would be put to death. They also know very well that they can rape Tamil women with impunity. There will be no punishment. They also know that they can murder the Tamil woman after the rape with impunity. There will be no punishment. They know that they can go to a Tamil village and murder the villagers - young and old, men and women, girls and boys - with impunity. There will be no punishment. That is the reason why the rapes, murders and massacres are taking place regularly.

The way to end the brutal crimes committed by Sri Lankan soldiers and police against Tamil civilians is to try the alleged rapists and murderers in an impartial court of law expeditiously and sentence those found guilty to punishments that fit the crimes.

We listed just three incidences of crime against Tamil civilians in this article. These are by no means isolated cases. Records kept by human rights organizations such as Amnesty International show that hundreds of Tamil girls and women have been raped by Sri Lankan soldiers and police, and dozens murdered after the rape. Many rapes go unreported for fear of retaliation. We will mention a little later what happened to the mother and neighbor of a teenage high school student who was gang raped, when they went to the army camp to inquire about her. There were dozens of massacres, each massacre claiming dozens of Tamil civilians. There are many hundreds of disappearances of Tamils detained by police and army; it is no secret that those disappeared in police and army custody are in fact murdered by the police and army. All these happened during President Kumaratunga's rule and all are documented by unbiased human rights organizations in spite of severe restriction on their access to army controlled Tamil areas. (If President Chandrika Kumaratunga were to remove the restrictions, many more cases would be documented.)

Let us now examine what happened to the perpetrators of the three brutal crimes we listed in the first half of this article.

5.1 The case of Koneswary Murugesapillai rape-murder

After much footwork by the local Tamil Member of Parliament, a case was filed against the five policemen who allegedly raped and murdered Koneswary Murugesapillai. When the case came to trial, a key witness - the Assistant Superintendent of Police - did not come to court because he was too busy. (What is more important to this senior police

officer than to see that justice is done in a sadistic rape-murder case involving five of his policemen?) In the meantime the Tamil Member of Parliament was threatened not to take any more interest in the case. Family members of the murdered woman were also threatened.

Key witnesses or other important government officials not coming to court and thus allowing the case to slowly fade out is by no means unique to this case. In 1995, some Special Task Force (STF) commandos picked up several Tamil youths in Colombo (with no charges or arrest warrant), took them to their headquarters, tortured them and murdered them. Then the commandos threw their bodies into lakes and rivers. Some of the bodies washed ashore. Following repeated appeals to the president by international human rights groups, charges were filed against several STF commandos. When the case came to trial, the government prosecutor would not show up. The judge took the case off the court roll after the prosecutor's absence on several trial dates. No one was punished. The accused commandos still work for the Special Task Force.

5.2 The case of Thanganayaki rape-murder

No one has been charged for the rape and sadistic murder of this 49-year old Tamil woman.

5.3 The case of Kumarapuram massacre

First the army said that its soldiers were not responsible for the massacre of the 24 Tamil civilians. It claimed that an unidentified group wearing army type uniforms carried out the massacre. Then, confronted with solid evidence, the army said that some soldiers did, in fact, commit the murders. Survivors of the massacre said that they could identify the soldiers who carried out the massacre. Soon a number of soldiers from the nearby army camp were transferred to another camp. An internal army commission was constituted to investigate the massacre. Not a single soldier was punished for this massacre of 24 civilians including a three-year old child, six others below age 12 and a pregnant woman.

6. What is needed?

What is needed is not human rights classes but an impartial court trial followed by swift, sure and severe punishment to those found guilty. In spite of President Kumaratunga's oft-repeated respect for human rights, not a single soldier or policeman has been punished for rape or murder of Tamils during her rule to date. We know that some soldiers were sentenced to imprisonment for refusing to fight but not a single soldier was punished for rape or murder in spite of many hundreds of rapes and murders and dozens of massacres. It shows where President Kumaratunga's priorities are. Fighting the Tamil fighters, namely the Liberation Tigers of Tamil Eelam (LTTE), and thus subduing the Tamils once and for ever is of paramount importance to her (thus the imprisonment of soldiers refusing to fight) but if the soldiers and police were to rape and murder Tamil civilians, that's alright with her as long as they fight the LTTE.

This priority is clearly evident in an editorial of a mainline Sri Lankan newspaper that supports President Kumaratunga's war efforts. A teenage high school girl in Jaffna was taken to an army camp, gang raped by soldiers and murdered there in 1966. Her mother and a neighbor who went to the army camp to inquire about her were also murdered and buried there. After repeated appeals by a number of international human rights groups and after a Tamil magazine published the gruesome details of this crime, a case was filed against the soldiers. The **Ceylon Daily News** wrote the following editorial:

"There should be no cause for bitterness and anger against the security forces... That would swiftly undermine the on-going "hearts and minds" battle." - Ceylon Daily News Editorial (November 6, 1996)

President Kumaratunga must be thinking the same way. How else can we explain why very few cases are filed in spite of the large numbers of murders and rapes? How else can we explain why key government officials (senior police officers, prosecutors) sabotage even those few cases by not cooperating with the court? How else can we explain why not even a single soldier or policeman is punished in spite of so many rapes, murders and massacres?

The blood of the murdered Tamil civilians cries out from heaven for justice! But there is no justice for Tamils in Sri Lanka!

UPDATE (added in September 1998): After this article was originally published, in mid 1998, one case involving the particularly brutal rape-murder of a school girl and the murder of her mother and neighbor that received international attention and outcry was tried and four soldiers and one police constable were sentenced to death. They are still in prison. This the **one and only conviction to date** to our knowledge in spite of thousands of murders and hundreds of rapes.)

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6. Declare the Sri Lankan Army and Police as Terrorist Organizations

Thanjai Nalankilli

[First Published: May 1998]

OUTLINE

Abbreviations

Executive Summary

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1.1 General definition

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1.4 State-sponsored terrorism

2. Sri Lankan Army and Police

2.1 Shelling and bombing of Hindu temples, Muslim mosques and Christian churches

2.2 Shelling and bombing of Tamil schools

2.3 Cold-blooded murders are terrorism too!

2.4 Torture-murders in police custody are terrorism too!

2.5 Rape-murders of Tamil women are terrorism too!

3. These are not Human Rights Violations; These are Acts of Terrorism

4. Count and Compare

5. In the Name of Justice and Fairness

Abbreviations

ICRC - international Committee of Red Cross

LTTE - Liberation Tigers of Tamil Eelam

EXECUTIVE SUMMARY

First the author provides a general definition of terrorism. Then a subset of terrorism is defined, namely, state-sponsored, state-funded terrorism by army and police.

Next the author examines the activities of the Sri Lankan army and police under the definition of terrorism and establishes that they should be classified as terrorist groups. Reports of the many hundreds cold-blooded murders of Tamil civilians, as documented by Amnesty International and other foreign human rights organizations, are used to support his case. (In this article, the term "cold-blooded murder" is used to refer to murder by knives, hatchets and point-blank shooting as opposed to the killing of civilians by army shelling and air force bombing.)

Finally the author requests the nations around the world to impose sanctions against the Sri Lankan government in view of the numerous terrorist acts carried out by the Sri

Lankan army and police. He argues that imposing sanctions against non-governmental groups only without similar sanctions against the Sri Lankan army, police and government is tantamount to unwittingly helping the Sri Lankan army, police and government continue their cold-blooded murders of Tamil civilians.

1. Definition of Terrorism

1.1 General definition

Any violent act by an individual or group that injures or kills non-combatants is a terrorist act. Those carrying out the act, knowing that their act would result in injuries or deaths of non-combatants, are terrorists.

1.2 Can an army or police commit terrorist acts?

Only groups fighting the government forces are usually characterized as terrorist groups. An army or police is seldom, if ever, called a terrorist group or their acts called terrorist acts even when they knowingly kill non-combatants. In the opinion of this writer, if the army or police of a country injures or kills non-combatants (civilians) knowingly and without cause then these acts are terrorist acts and the army and police are, in fact, terrorist groups.

Does it matter whether the person who shoots and kills non-combatants at point blank range or who sets off a remote controlled explosive device and thus kills non-combatants is a member of the army or a militant group fighting the army? This is a terrorist act irrespective. Whoever is responsible for killing civilians knowingly and without reasonable cause is a terrorist irrespective of whether he or she is a soldier or a "freedom fighter".

1.3 Terrorism is terrorism irrespective of the mode or weapons used in the killing

When someone plants a bomb and detonates it by a remote control and kills not only some soldiers but also civilians, it is called a terrorist act, and rightly so. However, when soldiers, on orders from their commanders, fire artillery and mortars on populated areas, knowing very well that there are civilians, and kills them, why is that not called a terrorist act? Just because expensive weaponry is used, is it less of a terrorist act than exploding a cheap bomb by remote control? It is one and the same. It is the killing of civilians knowingly and thus an act of terrorism.

When someone drives an explosives-laden car against a check post and kills the soldiers manning the post as well as some civilians, it is called a terrorist act, and rightly so. However, when an Air Force bomber drops tons of explosives on populated areas and kills hundreds of civilians in addition to some guerrillas, why is it not called a terrorist act? Just because the bomber belongs to the government and the order to bomb a populated area comes from top generals, is it any less of a terrorist act? It is the killing of civilians knowingly and thus an act of terrorism.

1.4 State-sponsored terrorism

The phrase "state-sponsored terrorism" is used occasionally to refer to a government killing civilians (non-combatants) in another country using its own agents or using some other group. Such governments are called terrorist governments and such countries are labeled terrorist states.

In the opinion of this writer, a government carrying out terrorist acts (that is, injuring and killing civilians not engaged in violent acts) within its own borders using its own army or police is also a terrorist state. Why should there be a difference whether the injuring and killing of non-combatants takes place within the government's own country or outside of the country? No government has the right to unnecessarily kill its own citizens not engaged in violent activities.

2. Sri Lankan Army and Police

We defined terrorism and terrorists in Section 1. Let us assess the activities of the Sri Lankan army and police within that definition of terrorism.

2.1 Shelling and bombing of Hindu temples, Muslim mosques and Christian churches

In spite of Sri Lanka's complete denial of access to war zones to reporters (until the government removes damaging evidences and sanitizes the area), there is ample documentation by international relief agencies, human rights organizations and enterprising reporters (not in any way connected to the Tamils) of the many bombings of Hindu temples, Muslim mosques and Christian churches in Tamil areas by the Buddhist Sri Lankan government. A number of such bombings had been carried out when Tamil civilians have taken refuge in those places of worship, and many hundreds of Tamil civilians have thus been killed. (If we add civilian casualties in bombed houses, shops and other places, they add to thousands.)

When the Holy Tooth Relic Buddhist Temple was damaged and some Sinhalese civilians died in a terrorist bomb attack, leaders around the world condemned it, and rightly so. But there is no condemnation when scores of Hindu temples, Muslim mosques and Christian churches were reduced to rubble by Sri Lankan army shelling and Sri Lankan Air Force bombing. Why are they not called terrorist acts?

How does it matter whether the terrorist act was carried out by a car laden with explosives or tons of explosives dropped from a multi-million dollar air force plane? Does it make the destruction of Tamil religious places and the killing of Tamil civilians taking refuge there any more "respectable" because it was done from high above using sophisticated multi-million dollar planes?

Can all these acts of destruction of scores of places of worship of the minority Tamils and the deaths of hundreds of Tamil civilians taking refuge there be attributed to targeting

error? This writer does not think so. If it is only a few such incidents, we may attribute them to targeting error but that is not the case here. There are too many incidences to consider them accidental bombings and shelling. These are meant to terrorize the minority Tamil civilians. These aerial bombings and shelling are no different from a terrorist car bomb.

Here is a report by the **International Committee of the Red Cross (ICRC)** dated July 11, 1995.

"On July 9, 1995, many of the displaced Tamils sought shelter in churches and temples, including several hundred people who took refuge in the Church of St. Peter and Paul in Navaly. According to eye-witness accounts, this church and several adjacent buildings were hit by further air force strikes at 4.30 PM the same day. During the attack 165 people were killed and 150 wounded, including women and children.

That evening and into the night Sri Lanka Red Cross staff evacuated most of the wounded by ambulance to the Jaffna Teaching Hospital. Delegates of the International Committee of the Red Cross (ICRC) present the next morning at the scene of the attack noted the widespread damage and measured the extent of the tragedy: many of the bodies had not yet been removed from the rubble.

Deeply concerned by the series of the violent acts that have claimed innocent civilians, the ICRC calls on the parties involved to respect civilian lives, property and places of refuge."

This was just one of many such bombings.

International relief agencies offered the Sri Lankan government a way to avoid civilian killings by air force bombing and army shelling. In 1995, they requested the Sri Lankan President Chandrika Kumaratunga to declare a small area as "safe area" where Tamil civilians could take shelter. These areas will not be bombed or shelled by either side. President Kumaratunga flatly rejected this request. Putting this together with the shelling and bombing of so many civilian targets raises the question "Does the Sri Lankan government has any concern at all for Tamil civilians?"

List of civilian targets bombed and shelled and the resulting Tamil civilian deaths may be found in Amnesty International archives.

2.2 Shelling and bombing of Tamil schools

Not only non-Buddhist places of worship (Sinhalese are predominantly Buddhists) but also Tamil schools have been bombed and shelled causing the death of scores of Tamil children. When a few Sinhalese children were killed along with some police men during a terrorist bomb explosion at a Colombo street, the Sri Lankan government went on a publicity campaign of how Tamil terrorists are killing Sinhalese children. This writer surely condemns this terrorist bombing and the resultant death of Sinhalese children. But

what about the Tamil school children (many, many times more) killed by the Sri Lankan Air Force bombing of Tamil schools? Are they not acts of state-funded terrorism? To emphasize the point, here is an account of the result of a **Sri Lankan Air Force bombing**.

"Twenty one school children were killed on the spot when Sri Lankan Pucara Planes bombed the Nagerkoil Central School in the Jaffna peninsula on September 22, 1996. Nearly 100 others were injured, most of them students in the same school. Elsewhere in the area, 15 other civilians were also killed in the course of the same bombing raids.

The bombing of the school happened at 12.50 P.M. during the school's lunch break. Several school children were gathered under a shade tree in the school compound. In the aftermath of the bombing, pieces of human flesh were strewn around the area including the tree branches, making identification impossible."

Here are the **names and ages** of those killed.

Dharmalingam Ushanthini 13
Markandu Nagalosani 10
Thamodtharan Sakunthala 12
Rasakumar Umakanthan 17
Punthavarasa Thushanthini 14
Ravindran Amirtha 10
Balachandran Rajitha 10
Sundaralingam Palanimalai 15
Kularasa Annamalai Tharsani 13
K. Varsini 12
Selvakulasingam Selvanithy 17
Krishnakumar Thavaseelan 13
Rajaratnam Kavitha 10
Nagamuthu Senthivel 15
Alphonse Amalaviji 14
Mahalingam Shanmugavadivel 16
T.Mahintha 10
T.Mathini 14
Navamani Vithuran 14
Selvam 16
Ragavan 16

Here is how 12-year old Tamil girl (Sathiaveni from Aruhaveli) described the death of a 2-year old baby by **army shelling on March 16, 1996**.

"The shells fell on our compound, we ran further away and laid down on the ground to take cover. I spotted my aunt's daughter 2-year old baby (Kalpana) standing away from us unaware of the terrific danger she was in. I got up and started running towards her desperately to grab her to safety when a shell fell very close to her and exploded. When

the smoke cleared we looked for her and found that she was dead. I was trembling. My hand was cut by a sharpnel from another shell that fell close by."

Are these bombing and shelling, two of many such incidents documented by Amnesty International, acts of terrorism?

2.3 Cold-blooded murders are terrorism too!

The Sri Lankan government may excuse the killing of minority Tamil civilians during army shelling and Air Force bombing as unavoidable casualties. As ridiculous as it may be, let us look at the cold-blooded murder of Tamil women and children at point plank shootings by the Sri Lankan army and police on several occasions. Hundreds of Tamils civilians were thus murdered in cold blood and are documented by Amnesty International and other unbiased agencies.

Here is **one such massacre**.

"On February 11, 1996, Sri Lankan soldiers entered the village of Kumarapuram around 6:00 PM and murdered 30 Tamil civilians in cold blood. These are not civilian casualties in cross fire but deliberate, premeditated murder. Two women, including a teenage girl, was first raped and then murdered. One murder victim was a pregnant woman. Her womb was ripped open by a machete and the unborn fetus wrenched out and hacked. Those murdered include children; the youngest victim was just 3 years old."

Amnesty International's report on this massacre provides the following details:

The Sri Lankan armed forces arrived in army trucks at the Tamil village of Kumarapuram in the Kiliveddi area of the Trincomalee district, on Sunday (February 11,1996), ordered the villagers to gather in a particular spot and massacred them with knives, machetes, and swords.

Bodies recovered include 2 bodies of sexually assaulted young women. The details of the Tamil people who were massacred at Kumarapuram are now available. They are as follows (**name, gender and age**):

Subiah Savirajah (male 76)
Kinnan Kovinthan (male 72)
Sivakkolunthu Sinnadurai (male 56)
Vadivelu Nadarajah (male 22)
Sundaralingam Luxmy (female 30)
Arunasalam Kamaladevy (female 35)
Alahuthurai Parames (female 30)
Subramaniam Pakkiyam (female 30)
Arumaithurai Vallipillai (female 28)
Selladurai Pakkiyam (female 28)
Anandan Annamah (female 26)

Thurairajah Karunakaran (young boy 15)
Arumaidurai Santhyaluxmy (young girl 15)
Kanakarajah Subashinirajah (young boy 15)
Vinayakamoorthy Suthahara (young boy 14)
Ramajeyam Kamaleswar (young girl 13)
Thangavel Kala (young girl 12)
Shanmuganathan Nizandan (young boy 11)
Sundaralingam Prabakaran (young boy 11)
Amirthalingam Rasanighandi (young girl 10)
Theepan Patiny (young girl 09)
Sivapakiyam Thiraiyampan (infant girl 06)
Pakkiyarajah Vasanthini (infant girl 06)
Sundaralingam Subasini (infant girl 03)

Is this massacre not an act of state terrorism against the minority Tamil population?
(NOTE: First the army denied any involvement and blamed an unidentified group. Then, confronted with overwhelming evidence, it admitted to the army's involvement. However, to our knowledge, not a single soldier was punished.) There are many such civilian murders by Sri Lankan army and police, all documented by international agencies like Amnesty International.

2.4 Torture-murders in police custody are terrorism too!

Over the years hundreds of Tamil youths picked up by Sri Lankan police under mere suspicion without any evidence and without an arrest warrant were tortured and murdered in detention. Their bodies were disposed off in rivers and lakes. We will give just **one example**.

"In 1995, the elite Special Task Force (STF) commandos picked up some Tamil youths in Colombo at random and took them to their headquarters. There the commandos applied a plastic tourniquet to the necks of these Tamil youths and steadily tightened them until they died. Their bodies were thrown into nearby rivers and lakes. Days later some of the bodies were found."

Is it not an act of terrorism? (NOTE: Not a single person was punished for these murders because the government prosecutors dragged their feet on prosecution. Many of those allegedly involved in these murders are still in the Special Task Force.)

No Tamil is immune from these detention murders, not even Christian priests. A letter signed by the Rev. Dwain Epps, coordinator of public affairs for the World Council of Churches (WCC), provides **details of a case**.

"Mr Arulpalan, a church minister and a Tamil, was visiting a church farm at Shalomnagar, Murippu on August 27 with two parish workers, a 45- year-old man and his 17-year-old son, to collect palm leaves for a roofing project. He was detained by security forces. Prompt inquiries by church officials as to his whereabouts received no

satisfactory response. On September 9, with the help of the International Red Cross, his dead body was found near the farm."

Is it not an act of police terrorism? (NOTE: No one was punished for this murder.)

2.5 Rape-murders of Tamil women are terrorism too!

Rape of Tamil women and girls by Sri Lankan soldiers and police is rather widespread in Tamil areas under army control. Many rapes go unreported because of fear of reprisal. In April 1998, a woman in Vadamarachi reporting the rape of another woman by Sri Lankan soldiers was murdered (burnt alive) just hours before she was to appear before a police inquiry.

Here is the information from **Amnesty International** documents on a rape-murder case.

"On November 7, 1996 Kirushanthi Kumaraswamy (age 17) was arrested on her way home from school at the Kaithady army check point. Her mother, Rasamma Kumaraswamy, became anxious when her daughter did not return from school and went to the checkpoint with Kirushanthi's brother, Piranapan, and a neighbor Kirupaharan. They were also arrested by the soldiers at the checkpoint. At 10 p.m. that night, the soldiers strangled and murdered Kirushanthi's mother, brother and neighbor and buried their bodies in shallow graves in the Hindu Chemmani Cemetery. At 11 p.m. 11 soldiers gang raped Kirushanthi and then murdered her. Her body was buried in the same cemetery. The four bodies were discovered on the 24th October 1996."

Is it not an act of Sri Lankan army terrorism? (Note: Because of an outcry from international human rights organizations, government filed a case against several soldiers (a rare occurrence) but the two soldiers accused of murder "escaped" from police custody).

Here is **another rape case**.

"On November 17, 1996, Sri Lankan soldiers abducted a 10 year old Tamil girl, Thenuka Selvarajah, when she was on her way to school and gang raped her at the Puttur V.C. camp. The school principal complained at the main Atchuvvely army camp. He was forcibly removed from the premises and no investigation was made on the rape."

Here are **two rape-murder cases**.

"On May 17, 1997, Koneswary Murugesapillai, a 35-year old mother of four children, was gang raped by five Sri Lankan policemen in the Batticaloa-Amparai border area. After the rape, the five policemen inserted a grenade into this helpless woman's vagina and exploded it, thus murdering her so brutally. In the same area, another Tamil mother, 49-year old Thanganayaki, was gang raped by policemen in October 1997. Then the policemen butchered her vagina and she died horribly."

Are these rape-murders not terrorist acts by the Sri Lankan police? (NOTE: A case was filed in the Koneswary rape-murder but the prosecution stalled because a senior police official would not come to the court to testify. No case was filed in the Thanganayaki rape-murder.)

South China Morning Post correspondent in Sri Lanka estimated that about 150 Tamil women were raped by Sri Lankan army and police during the year 1996 alone. (Remember, many rapes go unreported for fear of reprisal by soldiers or police.) Not a single soldier or police was punished to date for those rapes. Number of rape-murders during 1996 is 11. Each one is a terrorist act by Sri Lankan army or police personnel.

3. These are not Human Rights Violations; These are Acts of Terrorism

When a group of soldiers enter a village, gather the unarmed villagers (including women, children and babies) and murder them in cold blood with knives and hatchets (as it happened in Kumarapuram; see Section 2.3), newspapers call it "human rights violation". Let us not call these cold-blooded murders by some vague, "diluted" term like human rights violation, let us call them what they really are; these are acts of terrorism against the minority Tamil population. Well meaning governments show diplomatic displeasure at these "human rights violations". Instead, let them condemn them as state-sponsored acts of terrorism and treat them as any other terrorist act.

To me a human rights violation is the illegal detention of an innocent person or the mistreatment (say, poor food, poor sanitary conditions, etc.) of a prisoner. Don't categorize the cold-blooded murders of Tamil civilians in Kumarapuram by the Sri Lankan army as a human rights violation; it is much more than that; it is state-sponsored terrorism against the minority Tamil population.

When a Tamil mother is gang raped by Sri Lankan police and then murdered by inserting and exploding a grenade in her vagina (see Section 2.5), it is called a human rights violation. It is any less of a terrorist act than a terrorist exploding a bomb and killing a woman? No, it is as much an act of terrorism by the Sri Lankan army against the minority Tamils?

Remember, these are not a few isolated acts. There are hundreds and hundreds of terrorist acts against the minority Tamils by the Sri Lankan army and police. Don't take my word for it. Look into the archives of the International Committee of the Red Cross, Amnesty International and other such organizations. To our knowledge, not a single soldier or police is punished for these despicable acts of terrorism. Why? May be the following quote from a mainline Sri Lankan newspaper would shed some light. This editorial appeared when there was an outcry from international human rights agencies following the brutal rape-murder of Kirushanthi Kumaraswamy by Sri Lankan soldiers and the murder of her mother, brother and a neighbor when they went to inquire about her. **Here is the quote:**

"There should be no cause for bitterness and anger against the security forces... That would swiftly undermine the on-going "hearts and minds" battle." Ceylon Daily News Editorial (November 6, 1996)

How else can we explain that not a single soldier or police is punished in spite of the thousands of murders, rapes and tortures documented by unbiased foreign human rights organizations. When an incidence generates lots of publicity, government would go through a charade of prosecuting but these prosecutions never reach a conclusion. Several tactics are used to sabotage the investigation. Government prosecutors will not come to the court on trial dates again and again until the court dismisses the case. Key government witnesses, such as senior police officials, will not come to court. Civilian witnesses are shown lineups in which the suspects are not included; so the suspect could not be identified and case closed. Key accused persons are allowed to escape. These are some of the tactics used to sabotage even the very few cases filed against soldiers and police.

4. Count and Compare

The Sri Lankan government is on a worldwide campaign to brand the Tamil fighters (namely, the Liberation Tigers of Tamil Eelam [LTTE]) as a terrorist organization and gain support for the government's ongoing effort to subdue the minority Tamil population once and forever. Unfortunately even some well-meaning governments seem to believe the Sri Lankan propaganda because they are not fully aware of the terrorist actions by the Sri Lankan army and police (as discussed in Section 2 and 3). All this writer is asking the nations around the world as well as the United Nations is to weigh the terrorist acts by both sides (Tamil fighters [LTTE] and the Sri Lankan army/police) and act against all the terrorist acts according to their magnitude, irrespective of whether the acts were committed by LTTE or the Sri Lankan army/police.

Let us count the terrorist acts on both sides. To be on the conservative side, let us consider for purposes of this article that all acts of terrorism the Sri Lankan government accuses the LTTE of are true. Then let us count the terrorist acts by the Sri Lankan army and police. To be even more conservative, for purposes of this article, we will not include Tamil civilian casualties due to army shelling and air force bombing. We will consider only Tamil civilian casualties falling under the following categories discussed in Sections 2.3, 2.4 and 2.5:

- 1) Cold-blooded murders of civilians (deaths due to army shelling and air force bombing not included)
- 2) Torture-murders of Tamils in police custody
- 3) Rape-murders of Tamil women and teenagers

The number of Tamil civilian deaths due to these deliberate acts (of terrorism) by the Sri Lankan army and police are available by going through cases documented by human rights organizations such as Amnesty International.

This little comparison shows that the Sri Lankan army and police are responsible for the vast majority of terrorist acts in Sri Lanka. (This comparison may be made for any year during the past two decades, and we will reach the same conclusion.)

5. In the Name of Justice and Fairness

There is absolutely no doubt, on the basis of documented evidence by international human rights organizations (not by Tamil sources), that the Sri Lankan army and police have murdered in cold blood many hundreds of Tamil civilians every year during the past decade (adding to thousands of civilian murders over the years). This number is many, many times the number of Sinhalese civilians killed by the Liberation Tigers of Tamil Eelam (LTTE) even if we take every accusation made by the Sri Lankan government is correct. [NOTE: If we include Tamil civilian casualties due to Sri Lankan air force bombing and army shelling they run into tens of thousands (yes, tens of thousands)].

Under these circumstances imposing anti-terrorist sanctions against the LTTE without imposing identical sanctions on the Sri Lankan army, police and government amounts to unwittingly helping the Sri Lankan army, police and government continue with their terrorist murders, tortures and rapes against the minority Tamil civilian population. So **we request the nations around the world to take action** against the Sri Lankan government because of the terrorist acts of its army and police. We plead to the nations around the world to stop all aid to Sri Lanka. Stop selling weapons, ammunitions and all types of equipment used by the Sri Lankan army and police. Stop all types of training to the Sri Lankan army and police. Impose strict economic sanctions against Sri Lanka. This is the only fair thing to do; this is the only just thing to do. We request this in the name of fairness and justice!

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7. Sri Lanka: Cover-up of Chemmani Mass Graves

Thanjai Nalankilli

[First Published: February 2000]

OUTLINE

1. The Revelation
2. Investigation Stalled
3. The Cover-up
4. Concluding Remarks

1. The Revelation

A teenage school girl, Ms. Krishanthi Kumaraswamy, from the minority Tamil community was taken to the army barracks, gang raped and then murdered by Sri Lankan soldiers in September 1996 in northern Sri Lanka. Not knowing the daughter's ordeal at the hands of the soldiers, her mother, brother and a neighbor went to the barracks to inquire about her. Soldiers murdered them also. First the Sri Lankan Government of President Chandrika Kumaratunga denied everything. Though it was just one of the dozens of rape murders and the hundreds of murders of minority Tamil civilians by Sri Lankan security forces, this incidence somehow got worldwide publicity and outcry from international human rights organizations.

So some soldiers and police were charged with rape and murder. The judge gave 5 security personnel (4 soldiers and a police constable) death sentence. (We believe that this was the first incidence ever in Sri Lanka that a soldier or policeman was punished for raping or murdering a Tamil civilian.) After the sentence, the sentenced soldiers told the court in July 1998 that he was not the only one to murder Tamil civilians and that soldiers had buried 400 bodies of murdered Tamil civilians in mass graves in the village of Chemmani in Jaffna. Naturally, human rights organizations wanted the location excavated and investigated.

2. Investigation Stalled

Under a barrage of calls from international human rights organizations to investigate the mass graves allegation, the Sri Lankan Government had no other alternative; otherwise it may face curtailment of foreign fiscal and military aid. The government ordered an investigation. Ordering the investigation is one thing, conducting it expeditiously is another. The Sri Lankan government stalled the investigation again and again. Finally, a full 11 months after the revelation, in June 1999, the soldiers who revealed the existence of the mass graves were brought to Chemmani and they identified the alleged mass graves site to the assembled judge, Sri Lankan police investigators, Sri Lankan and foreign forensic experts and Sri Lankan and foreign reporters.

The Sri Lankan government of President Chandrika Kumaratunga had never allowed foreign reporters anywhere near other massacre sites in the past. In the past, her government had asked international human rights or relief agencies that reported incidences of large scale Tamil civilian killings to shut up or pack and leave. Reporters, foreign or local, were not allowed into Tamil areas under army control except during rare, well-choreographed tours conducted by the army. As you read this article further, you will understand why the Sri Lankan government of President Chandrika Kumaratunga was open to allow foreign reporters and observers to this excavation. The government knew beforehand that no mass grave would be found at this location.

The site was excavated, and investigators unearthed 15 bodies of murdered Tamil civilians, not 400 bodies as the soldiers told the court a year ago in July 1998. The Sri Lankan government announced to the world that there was no mass grave and the army's hands are clean.

3. The Cover-up

What is the cover-up? After all, foreign reporters and observers were present when the site was excavated. They found only 15 bodies, not 400 or anywhere near 400. So what is the cover-up?

Being a skeptic when it comes to the Sri Lankan government that I am, let me ask a question. Did they excavate the right location? I can go around and excavate so many places in Sri Lanka and find not a single body. Did they excavate the correct location? The Sri Lankan government may respond, "The soldiers who revealed the alleged mass graves identified the site right in front of foreign observers and reporters. What more do you want?"

The question is **"Where were these soldiers from the time they revealed of the mass graves in July 1998 to the time they identified the site to foreign observers in June 1999?"** They were in the custody of the Government of Sri Lanka. Here is the key to government cover-up. What do we know of what happened to these soldiers during these 11 months?

The points we make are: (1) The convicted soldiers were in the custody and control of the Sri Lankan government for 11 months (Once they were convicted of rape and murder and sentenced to death by the judge, they were taken to a prison in Colombo), and (2) The Sri Lankan government had a vested interest in covering up the mass graves. The Sri Lankan government has every reason to "persuade" these soldiers to cooperate with it to cover up the mass graves issue. What can the government do to persuade them to cooperate? After all, these men were under death sentence. What further threat can they make?

We do not know much about the lives of those soldiers in prison but for one small glimpse from reports reaching the human rights group Amnesty International. **One of the soldiers in prison** was Lance Corporal Somaratne Rajapakse. The prison guards asked

him to sign a statement that he was emotionally disturbed at the time he revealed the mass graves to the court and that those statements were false. When he refused, he was beaten up by prison guards.

In addition to beatings and torture of the soldiers to put pressure on them to help with the cover up, the government could also threaten the lives of the children, wives and parents of the soldiers if they do not cooperate. This could be a great persuasion on these soldiers to cooperate because they know very well how cold-blooded Sri Lankan security personnel could be with innocent civilians. After all, they raped and murdered an innocent teenager and then murdered her relatives and neighbor who came to inquire of her! So there is ample opportunity for the Sri Lankan government to persuade the soldiers to cover up the mass graves issue.

How can the soldiers help in a cover up? After all, they have already revealed to the entire world the existence of mass graves. There is one way they could help the Sri Lankan government come out smelling like roses in front of the entire world. The soldiers could identify a wrong site as the location of the mass graves. Yes, they had already told the court that the graves were located near Chemmani village but still they could point out a place near Chemmani but still away from the real site of the mass graves. We believe that this was what happened.

The Sri Lankan government went out with great fanfare with foreign observers and reporters to excavate this false site. Naturally they did not find 400 bodies there. They found 15 bodies. It must have been a peripheral location where some bodies were buried. Remember that a body was found at the stadium grounds in Jaffna (Chemmani is also in Jaffna). Sri Lankan soldiers did not bury all the murdered Tamil civilians in the Chemmani mass graves. Bodies are also buried here and there all over Tamil areas under Sri Lankan army control. A few skeletons have, in fact, been found here and there during the past few years. It would be impossible to locate every such burial place.

4. Concluding Remarks

In conclusion, the Chemmani mass graves investigation is a total white wash by the government of Sri Lanka. The truth may never be known. One fact remains. At least 600 Tamil civilians disappeared in the months after the Sri Lankan army took control of Jaffna. Where are they? We uncovered 15 bodies during the Chemmani excavation. One body was found by accident at the Jaffna Stadium grounds. A few more have been found by accident here and there. Where is the remainder of the 600? Are some 400 bodies of murdered Tamil civilians buried somewhere near Chemmani?

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8. **Fate of Sri Lankan Tamil Minority: Choice of Boiling Pot and Burning Stove**

Thanjai Nalankilli

[First Published: February 2009]

Unbiased international humanitarian agencies report that Tamil freedom fighters - the Liberation Tigers of Tamil Eelam (LTTE) - are not allowing Tamil civilians in their areas of control to leave for Sri Lankan government controlled areas. This is unacceptable and inexcusable. We urge in the strongest terms that those civilians wanting to leave must be allowed to do so.

The same humanitarian agencies also report that conditions of refugee camps set up by Sri Lankan government for those Tamil civilians leaving LTTE areas are appalling and that Sri Lankan government offers very limited freedom of mobility to these civilians. Human Rights Watch reported of "drastic shortage" of food, shelter, water and sanitation supplies in these camps. It added that people [Tamil civilians coming from LTTE areas] are "held indefinitely in army-run prison camps". It also said, "The government's 'welfare centers' for civilians are just badly disguised prisons." One international aid official likened these camps to Nazi concentration camps.

In spite of all this, LTTE must allow those civilians wanting to leave. I suggest that humanitarian agencies with knowledge of the conditions of government run camps go into LTTE areas and talk to civilians. Those who make the choice to go to these camps must be allowed to leave. That is the right thing to do.

Tamil civilians in the war zone are like in the proverbial boiling pot and burning stove situation. (1) If they stay in LTTE areas they lack adequate food, medical supplies and shelter (because the Sri Lankan government severely restricts access to relief agencies). These civilians are also at death's edge because of Sri Lankan Air Force bombings. There are reports that Sri Lankan military purposively targets civilian areas to force them to flee to government areas. (2) If they are able to leave for government areas they were put in relief camps that are short of food, medical supplies and decent shelter (because government would not provide them or allow relief agencies to provide them). As we stated earlier, these relief camps remind humanitarian officials of prison camps and Nazi concentration camps. There are also "disappearances" of camp residents, never to be seen again.

Are these the only two choices that we want for Tamil civilians? Or, for that matter, for any human being? There should be a third choice for the Tamil people of northeast Sri Lanka - To live in peace with honour and dignity that every human being is entitled. Will they get that option soon or forever doomed to know nothing but war and refugee camps?

Let the International Community enforce a ceasefire now, followed by mediated peace talks.

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9. **Sri Lanka: Tamil Civilians between the Jaws of Death**

Thanjai Nalankilli

[First Published: March 2009]

Abbreviations

ICRC - International Committee of the Red Cross

LTTE - Liberation Tigers of Tamil Eelam

UN - United Nations

War continues to rage in Mullaitivu between the Sri Lankan military and the Liberation Tigers of Tamil Eelam (LTTE), fighting for an independent country or self-determination for the Tamil minority of Sri Lanka. Reports issued by unbiased international humanitarian agencies say that LTTE is not allowing Tamil civilians to move out of their areas of control to Sri Lankan army controlled areas. As I said last month, "This is unacceptable and inexcusable. We urge in the strongest terms that those civilians wanting to leave must be allowed to do so" [Chapter 8].

In spite of the large number of Tamil civilian deaths and injuries, Sri Lankan military continues to bomb and shell LTTE held areas indiscriminately with no concern for Tamil civilian lives. Sri Lankan government's statement of "zero civilian casualty policy" is laughable but for the tragic situation Tamil civilians face and that our eyes are swelling with tears. Reports from unbiased human rights and relief agencies describe a horrifying situation in Mullaitivu. A letter dated January 13, 2009 sent to United Nations Secretary General by a group of religious leaders said, "in indiscriminate attacks babies in their mother's wombs, infants, children, women and men, young and old, are being killed and wounded every day. Schools, hospitals, places of worship, civilian homes, whose security and safety are guaranteed by the constitution, are not spared in this aggressive war." Humanitarian agencies have reported several hundred deaths and more injuries [All one has to do is read reports from unbiased news agencies such as the Associated Press or Reuter.] Near the end of January 2009, International Committee of the Red Cross (ICRC) said that "hundreds" of civilians have been killed during the month and "scores" wounded.

Sri Lankan Government had repeatedly said that LTTE was not allowing civilians to leave areas under their control. Yet government spokesman Lakshman Hulugalle said, "The government cannot be responsible for the safety and security of civilians still living among LTTE terrorists" (Associated Press; February 2, 2009). This is outrageous. If LTTE is not allowing civilians to leave, how can the government bomb and shell those civilians and then wash their hands of any responsibility for their blood?

According to Sri Lankan government, there are in Mullaitivu about 100,000 civilians and 600 LTTE cadres (from "foot soldiers" to senior leaders). [Others put the number of

civilians to more than twice as much.] Even taking government figures, Sri Lankan military is willing to kill 166 Tamil civilians for every LTTE cadre. Is it reasonable? Is it acceptable? Should responsible parties be tried for war crimes?

Let us look at government spokesman Lakshman Hulugalle's statement, "The government cannot be responsible for the safety and security of civilians still living among LTTE terrorists", from another perspective. Let us say a gunman is holding 166 innocent people in a building against their wish at gunpoint. Police surrounds the building and yells at the innocent people, "We cannot be responsible for your safety and security if you continue to stay with the gunman". Gives them 48 hours to get out the building, then shoots at the building indiscriminately killing many of the innocent people in order to "finish off" the gunman. Police officers in charge would surely be prosecuted in any civilized society.

Never in recent history has any government been willing to kill 166 innocent civilians for every combatant it wants to kill. Yet this is what is happening in Sri Lanka, and the world watches impotently.

Is there relief for the innocent Tamil civilians? Who will help them? God, please...

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10. Is this One Way to End the Ethnic War in Sri Lanka?

Thanjai Nalankilli

[First Published: February 2000]

OUTLINE

Abbreviations

1. Introduction
 2. Future Sri Lankan Presidents
 3. Looking Back and Looking Forward
 4. Independent Tamil Eelam is the Natural Solution
 5. A Solution Short of Independent Tamil Eelam
- Appendix-I: Thimpu Principles

Abbreviations

LTTE - Liberation Tigers of Tamil Eelam

NATO - North Atlantic Treaty Organization

UN - United Nations

UNP - United National Party

FOREWORD (written in March 2010)

Author proposed this solution the Sinhala-Tamil ethnic conflict that is short of an Independent Tamil Eelam but safeguards the interests of the Tamil minority in the year 2000. Time has passed and situations have changed drastically. Sri Lankan military defeated the Liberation Tigers of Tamil Eelam (LTTE) in 2009. With LTTE defeated and Tamil people helpless, Sri Lankan Government would not even consider this solution. Yet those interested in a fair solution to the ethnic conflict, especially the international community, may want to read it. Things may change in Sri Lanka sooner or later.

1. Introduction

Recently, in January 2000, Mr. Ranil Wickremasinghe, leader of the main Sinhala opposition party, UNP, said that his party would support the devolution package proposed by the Sri Lankan President. He wrote to President Chandrika Kumaratunga, "It is our position that your course of action (her devolution proposal) is not the solution to this problem (the ethnic war between minority Tamils and the Sri Lankan government). But since you do not have another solution we will not stand in the way of the course of action you intend to adopt." Until now the UNP refused to support the devolution package, and thus the necessary constitutional amendment needed for the devolution package to become law could not be passed in the Sri Lankan parliament. Now, with UNP support, the constitution can be amended.

This development would now put enormous international pressure on the minority Tamil people to accept the devolution package and end their armed struggle. Well-meaning nations around the globe who are eager to see an end to the bloody war between the Sri Lankan military and Tamil fighters (the LTTE) would no doubt sincerely hope that the devolution package would end the conflict and every one in Sri Lanka could live happily ever after.

This article does not go into whether the proposed devolution package goes far enough. Even the Tamil politicians who support President Chandrika Kumaratunga are of the opinion that it needs to be "improved". For the purposes of this article, let us say that a "suitable" devolution is passed by the Sri Lankan parliament. Will that end the discriminations against the minority Tamils once and forever and bring permanent peace to Sri Lanka? How can we tailor a peace settlement that would avoid future problems?

2. Future Sri Lankan Presidents

Who will be the next president of Sri Lanka when elections are held 5 or 6 years from now? One thing is certain. It will be a Sinhalese. Alright, no harm done. The critical question is, "Will he/she be in favor of the devolution enacted by his/her predecessor? What about the president after that?

Even today there is no unanimous consent among Sinhalese people, parties or politicians about what powers should be devolved to the Tamil minority. There are many influential people within the ruling party itself who have serious reservations about the proposed devolution package. They may vote for it under pressure from the president but their hearts are not with it. Some Buddhist monks, who wield enormous influence with the Sinhalese people, are also opposed to devolution. Still the devolution package may be passed in the parliament because the Sri Lankan army is unable to defeat the Tamil fighters, the LTTE.

What if a future president, may be 5 years from now, may be 15 years from now, is opposed to the devolution. Will that president bring forth a constitutional amendment to nullify the devolution? It is perfectly legal. Under pressure from Sinhala chauvinists he/she could get the necessary votes in the parliament too. Sinhala members of parliament will always have an overwhelming majority in the parliament. What the Sinhala members of parliament vote for today, can be taken away tomorrow by Sinhala members of parliament of tomorrow! They can strip away powers devolved to the Tamil people and introduce discriminatory legislation. It is not an idle speculation. This happened before and we fear that history will repeat itself. People who enacted discriminatory laws in the past are still in high positions. The present Prime Minister, Mrs. Sirimavo Bandaranaike, was the one who repealed in 1972 the original constitution that gave constitutional protection for minorities. The new constitution she brought forth had so many discriminatory clauses against the Tamil people.

When the British rule ended over Sri Lanka, the new democratic constitution had several clauses that protected minorities. One by one, these protections were removed by Sinhala members of parliament, and one by one, discriminatory laws were enacted in spite of unanimous opposition from Tamil members of parliament. Sinhalese will always have substantial majority in the parliament to amend the constitution at will. They destroyed the original constitution that protected minority rights and they will do so again with the devolution.

If you say, "This time is different", we ask, "Why?" Agreements reached between the Sri Lankan government and Tamil leaders have been unilaterally reneged by the government in the past. Look at what happened to the Bandaranaike-Chelvanayakam Pact of 1957 and the Senanayake-Chelvanayakam Agreement of 1965. Sri Lankan governments under Bandarnaike and Senanayake, respectively, after signing agreements with the then Tamil leader Chelvanayakam, reneged on them. Why are we to believe that agreement reached between the Sri Lankan government and the LTTE will not be reneged by the government soon after the LTTE lays down its weapons?

It would be easy for the Sri Lankan government to tell us, "Trust us. This time is going to be different." Trust is a good thing but trust without adequate safeguards would be suicidal for the Tamil minority of Sri Lanka. If a future Sri Lankan government were to pass legislation and constitutional amendments that take away the devolved powers and minority rights one by one, as they did to the original Sri Lankan constitution, what could the Tamil people do? Absolutely nothing effective. We will be back to square one, to the situation that prevailed back in the 1950s, 1960s and the 1970s when the Tamil people were totally at the mercy of Sinhala politicians, police and soldiers. Let me elaborate a little.

3. Looking Back and Looking Forward

As we discussed in Section 2, the first democratic constitution of Sri Lanka after the end of British colonial rule was fair to the minorities. But Sinhala members of the parliament, because of their numerical strength, amended the constitution and enacted laws that stripped away the safeguards for minorities and passed discriminatory laws, ignoring the pleas and opposition of Tamil members of parliament. Unable to block the discriminatory laws in the parliament, the minority Tamil people did the only thing they could; they protested peacefully-protest marches, fasts, etc. Not a single Tamil protestor was armed; neither did they indulge in violence. Such protesters were violently attacked by Sri Lankan police again and again, year after year. Not only that, Sinhala mobs went on an orgy of violence, raping, torturing and murdering defenseless Tamil people and looting and destroying their houses and businesses, as the Sri Lankan police and army looked on or joined in the orgy of violence against the Tamil people. Such "riots" against the Tamil people, with the full connivance of the Sri Lankan police and army, took place in 1956, 1958, 1961, 1977, 1979, 1981 and 1983.

What we fear is that the same scenario will repeat itself if we agree to a devolution package and the LTTE lays down its weapons. Once the LTTE lays down its weapons

and the Tamil people are unarmed, defenseless and totally at the mercy of the Sri Lankan police and soldiers, Sinhala politicians will strip away the devolution (as they did to the original constitution) and enact discriminatory constitutional amendments and laws against the minorities. With no armed fighters to defend the Tamil people, peaceful protests by the Tamil people will be met with brute force from Sri Lankan police and army and "mobs" as it happened repeatedly in the 1950s, 1960s and the 1970s. The defenseless Tamil population will be enslaved again under Sinhala guns.

No outside force will come to protect the Tamil people. No, American jets will not thunder over the Sri Lankan capital Colombo to force the Sri Lankan government to stop the raping, killing and looting of the Tamil populace as the American bombers did over the Yugoslav capital Belgrade to stop the killings of the Albanian minority in that country. No, NATO armies will not come to the Tamil homeland in Sri Lanka to expel the Sri Lankan army as they did in the Kosovo Province to expel Yugoslavian army and police. No, no such help will come to the Tamil people. The Tamil people will be bullied, beaten and butchered and be enslaved again by the Sri Lankan government, police and army.

If this is our fear (surely it is well founded), then, is there a way to end the bloody Sinhala-Tamil war that is taking an enormous toll on the Tamil people and, to some extent, on the Sinhala people?

4. Independent Tamil Eelam is the Natural Solution

The solution is staring at us, and the Tamil people had spelled it out in the 1977 election that an independent country for them in their historical homeland in the northern and eastern regions of the island is their preference. (They call that proposed country "Tamil Eelam"). No such voting choice was offered to the Tamil people after 1977.

An independent country for the Tamils of the island, namely Tamil Eelam, will let the Tamil Nation and the Sinhala Nation to coexist in this island, within the boundaries of their historical homelands. This will end the ethnic war and provide a lasting solution.

We know that some well-meaning nations, that wish us no harm, that are unbiased in their concern for the Sinhala and Tamil people, would like us to settle for something less than independence so that this bloody war can be ended soon. We understand their wish but accepting any solution that is not endurable and that could put the Tamil population in physical harm and danger would be suicidal for the Tamil people. Any solution should protect not only the legitimate rights of the Tamil people but also their very lives and property. We cannot allow Sinhala mobs, police and soldiers to rape, murder, burn and loot the Tamil people as they did in 1956, 1958, 1961, 1977, 1979, 1981 and 1983. Mere words, promises and signed papers are not enough. Any solution should include effective protection for the Tamil population from Sinhala mobs, police and soldiers. We simply cannot allow 1956, 1958, 1961, 1977, 1979, 1981 and 1983 to repeat in the 2000s, 2010s, 2020s, etc. An independent country for the Tamil people of Sri Lanka in their own traditional homeland provides such a solution.

Can there be a solution short of an independent country (independent Tamil Eelam)?
May be. I propose here a possible solution. These are my personal views. Ultimately it is for the Tamil people to decide what solution they are willing to accept.

5. A solution Short of Independent Tamil Eelam

- 1) Province of Tamil Eelam consisting of the historical Tamil homeland in the northern and eastern regions of the island should be created on the basis of Thimpu Principles [Appendix I]. The province will be an integral part of the Sri Lankan Federation and the federation has sovereignty over the province.
- 2) The province will maintain a "Provincial Guards" to protect the people of the province. The Provincial Guards will be totally under the control of the elected provincial government and funded under the provincial budget. The Federal Sri Lankan Government will have no control over it. The Provincial Guards is not a police force, it will be a well armed defense unit, equipped to defend against any incursions into the province by Sri Lankan Federal Army.
- 3) A small force of international monitors under the auspices of the United Nations (UN) shall be stationed along the border between the province and the rest of Sri Lanka. They will be a deterrent for the Provincial Guards from crossing into the rest of Sri Lanka and the Federal Army from crossing into the province.
- 4) The international monitors shall also monitor staffing levels and weapons inventory of the federal military and the provincial guards to assure that they are in balance. Weapons inventory of the provincial guards will be commensurate with the capabilities of the federal military; for example, if the federal military has bombers, the provincial guards may have anti-aircraft guns.

I am sure that the Sri Lankan government would raise objections to the idea of a well armed, defensive Provincial Guards. This is the only way, short of an independent homeland (Tamil Eelam), to protect the Tamil population and prevent repetition of the tragic events of 1956, 1958, 1961, 1977, 1979, 1981 and 1983. Extraordinary circumstances warrant extraordinary measures. We will give two examples of extraordinary measures taken from the very recent world history.

Though the **Kurdish Province** is recognized internationally as a part of Iraq, United Nations (UN) forbids Iraqi war planes from flying over this province because these planes had wrecked havoc in the recent past, killing Kurdish people and destroying Kurdish property. The no-fly restriction is enforced by American and British Air Force planes flying from Kuwait and aircraft carriers stationed in the Persian Gulf.

Though the Province of Kosovo is recognized internationally as part of Yugoslavia, Yugoslavian police and army are not allowed to enter the province because Yugoslavian

police and army raped, murdered and looted the minority Albanian population of the province. NATO troops stand guard against their entry into the province.

The solution I propose here is not much different from the situation in the Kurdish Province of Iraq and the Kosovo Province of Yugoslavia. We have no illusion that America and Britain would station their aircraft carriers in the Indian Ocean and enforce a no-fly zone for Sri Lankan bombers over the Tamil homeland. We are under no illusion that NATO troops would establish bases in the Tamil homeland to ward off Sri Lankan police/army attacks on the Tamil population. That is why we propose Provincial Guards to defend the Tamil people from Sri Lankan police/army violence.

UPDATE (August 2002)

According to news reports, Mr. Joseph Pararajasingham, a member of the Sri Lankan Parliament and Senior Vice President of the Tamil United Liberation Front (TULF), told French and Dutch Ambassadors on June 26, 2002, that the Tamil people needed their own army to secure and protect their rights in Sri Lanka. We are happy that a member of the Sri Lankan Parliament has expressed an almost identical view to what we suggested in the article that, "The Tamil province will maintain a Provincial Guards to protect the people of the province."

Appendix-I Thimpu Principles

Government of India arranged talks between the Sri Lankan government and Sri Lankan Tamil representatives in Thimpu in July 1985. The Tamil delegation consisted of all the political parties and militant groups of that time. The Tamil delegation put forth the following four principles, which are known as the "Thimpu Principles".

- 1) Tamil people are a distinct and separate identity, and therefore must be accepted as a nation;
- 2) Tamil people have a traditional homeland and its territory must be inviolate;
- 3) On the basis of the two norms above, the Tamil people are possessed of the inalienable right to self-determination; and
- 4) The principle of equality.

The Tamil delegation stated that any political solution to the Sri Lankan ethnic conflict could be only on the recognition of these four principles. The Sri Lankan government rejected these principles and the Thimpu talks broke down.

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11.

Sri Lankan Devolution Package Speaks Loud and Clear that Sinhalese are the Masters of the Island

Thanjai Nalankilli

[First Published: September 2000]

OUTLINE

Abbreviation

1. Introduction
2. Background
3. Message of the Devolution Package Is Loud And Clear
4. Sinhala Attitude of Superiority

Abbreviation

LTTE - Liberation Tigers of Tamil Eelam

1. Introduction

Sri Lankan President Kumaratunga's much drummed up devolution package was included in the constitutional amendment presented to the Sri Lankan Parliament in early August 2000. Within days it was withdrawn because it became clear that she could not rally enough votes in the parliament to pass the amendment. The devolution package was drummed up internationally as the one that would end the discrimination of the Tamil minority once and forever. While President Kumaratunga and her government are asserting that it would end the second-class status of the Tamil minority of Sri Lanka, the devolution package itself was sending another message loud and clear that **"Sinhalese are the masters of the island"** and the Tamil minority may be tolerated and allowed to live in the island as long as they accept the superior status of the Sinhalese and resign to their second-class status". It is not the purpose of this article to analyze the constitutional amendment and point out all its "weaknesses". There is an old Tamil saying that it is sufficient to sample one grain of rice in the pot to see if the whole pot is cooked. We will examine only one clause of the constitutional amendment and its implications as to the majority Sinhala mentality and the Sri Lankan government attitude toward the Tamil minority.

2. Background

[Readers familiar with the situation in Sri Lanka need not read this section. They may go to section 3.] The Island of Sri Lanka is occupied by Sinhalese, Tamils, Moors, Malays and Burghers. Sinhalese are the majority and they are mostly Buddhists, with a few Muslims and Christians. Tamils are the second-largest group. Majority of them are Hindus, with a sizable number of Muslims and a fair number of Christians. Moors are the

descendants of Arab merchants and their local Sinhala or Tamil spouses. Burghers are the descendants of European colonizers and their local spouses. Malays are the descendants of political exiles and soldiers brought to Sri Lanka by the Dutch East India Company. Moors, Malays and Burghers are each only a small percentage of the population.

Tamils have been living in the eastern and northern regions of the island for millennia. They consider it their homeland. There are also Tamils living in the rest of the island (the Sinhala homeland). The Tamils in the tea estates of the Central Province were brought to the island from Tamil Nadu a couple of centuries ago by the British colonial rulers. Another smaller number of Tamils left their homeland in the east and north to work and do business primarily in major cities like the capital city of Colombo. (These two groups of Tamils are not directly involved in the ongoing war for an independent Tamil homeland in the North and East.)

Because of the ongoing war in the Tamil homeland, the Sri Lankan military shelling and bombing there, and the severe food and medicine shortage there due to Sri Lankan government economic blockade of the region, some Tamils have left their homes temporarily to live in Colombo and some other Sinhala areas where there is no military action or food-medicine shortage. These refugees will surely return to their homes once the war ends.

It is now almost universally accepted that the Tamil minority as well as other minorities have been discriminated by the majority Sinhalese for some five decades ever since Sri Lanka got independence from Britain. During the first couple of decades, Tamil politicians from the east and north have asked that some power be devolved from the Sri Lankan Central Government to local bodies in the Tamil homeland. These requests were rejected and peaceful protests were brutally put down by army and police. So the Tamil politicians from the Tamil homeland (eastern and northern regions of Sri Lanka) demanded that they separate from Sri Lanka and establish their own country, Tamil Eelam, in their traditional homeland. They received an overwhelming support for this platform in the 1977 general elections. The Sri Lankan government rejected this request as well. Having failed to end the discrimination by peaceful and democratic means, Tamil youths took to arms and have been fighting the Sri Lankan military for the past two decades now. After over two decades of bloodshed and still unable to defeat the Tamil freedom fighters, by the name of LTTE, and under pressure from Western governments on whom Sri Lanka depends for financial as well as some military aid, the Sri Lankan government presented the constitutional amendment incorporating the devolution package in August 2000. The government told the Tamil minority and the foreign nations that the devolution package would end the discrimination of the Tamil minority.

3. Message of the Devolution Package is Loud and Clear

President Kumaratunga promised an equitable devolution package as soon as she came to power in 1995. It is in the name of that promised devolution package that she was able to get the support of many foreign countries for her ongoing war with the Tamil freedom fighters, the LTTE. It is in the name of that promised devolution package that she called

her no holds barred bloody war that killed thousands of Tamil civilians the "war for peace". Finally, after five years, literally during the last month of the life of the current parliament, President Kumaratunga presented the much heralded devolution package to the parliament. Though it was not put to vote because the government could not garner the necessary votes, it is worth looking at this devolution package to see what the Tamil minority can expect from the Sinhala majority.

In spite of all the supposed good will and non-discriminatory attitude that President Kumaratunga often speaks of, what does her devolution package say? The message of the devolution package submitted to the parliament in August 2000 is loud and clear. There is no ambiguity. The message is, "Sinhalese are the masters of the island and the Tamil minority may live in the island as second-class citizens in they wish".

The devolution provides for a North-Eastern Provincial Council in the traditional Tamil homeland (this province may be divided into two provinces, north and east, after 10 years. This is opposed by the Tamil people. Though it is an important issue, we will not to discuss it here in this article.) The majority in the North-Eastern Provincial Council would naturally be Tamils. About ten percent of the population in this province would be Sinhalese. (I have not looked up the precise percentage but that is not important for the purposes of this article.) What is interesting in the devolution package is that it provides a special status to the Sinhala minority in the North-Eastern Province. The North-Eastern Provincial Council, which will have a Tamil majority, cannot make any decision affecting the Sinhalese of the province without the majority of the Sinhalese in the province agreeing to it. What is wrong with the Sinhala minority in the province given a veto on decisions affecting them, you may ask? All right, what about the Tamil minority living in Sinhala majority provinces? Do they have similar veto rights in those provinces where they live? The answer is "no". The Constitution does not provide any such special status to the Tamil minority living in Sinhala-majority provinces.

Here is an example. Large numbers of Tamil people live in the Sinhala-majority Central Province. Though these Tamils are ethnically, racially and culturally identical to the North-Eastern Tamils, they came to Sri Lanka from Tamil Nadu a couple of centuries ago while the North-Eastern Tamils are living there for at least a couple of millennia. This Tamil minority in the Central Province does not have the same special status given to the Sinhala minority in the North-Eastern Province (They were settled there by the Sri Lankan government during the past half-a-century). Why is this difference in the way the Sinhalese in the North-Eastern Province and the Tamils in the Central Province are treated? Is it because the Sri Lankan government and the Sinhala people believe that the Sinhalese are the master race of the island and thus have special privileges over the Tamil minority?

It is also worth remembering that Sri Lanka as a whole is governed by the Central Government in Colombo, which will always be controlled by the Sinhalese. Does the constitution protect the minority Tamil interest by giving a special clause saying that the Central Government cannot make any decision concerning the Tamil people without the consent of the majority of the Tamil population (in the same way as the Sinhalese

minority are given a veto on even the limited powers of the North-Eastern Provincial Council)? No. Even after the devolution, the Central Government, controlled by the majority Sinhalese, is supreme and can dismiss the Provincial Council after declaring emergency unilaterally (without the consent of the Tamil people) and, of course, have the army to enforce its dictate on the defenseless Tamil minority. If the constitution would say that no decision on the Tamil minority in Sri Lanka can be made by the Central Government without the consent of the majority of the Tamil people, we can accept the veto power given to the Sinhalese minority in the North-Eastern Province as equitable. This one-sided special status for the Sinhalese and other such lop-sided provisions of the constitution enshrines in the constitution implicitly that Sinhalese are the master race of the island and Tamils are mere serfs there to serve the Sinhala masters.

4. Sinhala Attitude of Superiority

President Kumaratunga's predecessor **President Wijetunga** said in 1994, "The majority community in this country are Sinhalese. Therefore the Sinhalese should govern the country. They governed the country in the past and will do so in the future. The minorities should assist and guide them." Another former Sri Lankan President, **J.R. Jayawardene**, said in 1957 (when he was the opposition leader), "...The time has come for the whole Sinhala race which has existed for 2500 years, jealously safeguarding their language and religion, to fight without giving any quarter to save their birthright..." They were explicit and frank in their statements. **President Kumaratunga** in her own dubious and cunning way is never so frank and open because she knows well that Sri Lanka will not get any support, financial, military, political or diplomatic, if she makes similar statements. But her devolution package says the same thing implicitly. The only reason that some sops devolution are even considered by the Sri Lankan government is that the Sri Lankan army is unable to defeat the LTTE and the only way to get military, financial, diplomatic and political assistance from well-meaning, although naive, foreign countries is by seeming to offer a semblance of power to the minority Tamil people.

If the Sinhala-Buddhist attitude of superiority does not change, there will be no peace in the island and there will be no laying down of arms by the Tamil minority until the Tamil race is totally annihilated in the Tamil homeland in the northeast (as it happened to the Armenians in Turkey during the early part of the 20-th century and to the Jews in Germany around the middle of the 20-th century) or the Tamil people win militarily and establish their own independent nation in their ancestral homeland in the northeast (Tamil Eelam) where **they can live in peace and dignity without exploitation and discrimination, and subservient to none.**

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12.

Indian Constitution is not a Suitable Model for Sri Lanka

Thanjai Nalankilli

[First Published: September 2006]

OUTLINE

Abbreviations

1. A Presidential Pledge on Unitary Constitution
2. President Opts for an "Indian Federal Model"
3. Is Indian Constitution Federal?
4. Concluding Remarks

Abbreviations

EU - European Union
JHU - Jathika Hela Urumaya
JVP - Janatha Vimukthi Peramuna
LTTE - Liberation Tigers of Tamil Eelam
SLFP - Sri Lanka Freedom Party
USA - United States of America

1. A Presidential Pledge on Unitary Constitution

In Sri Lanka's Presidential Election of 2005, SLFP candidate Mr. Mahinda Rajapakse ran on the platform that any peaceful settlement of the ethnic conflict between the majority Sinhalese and the minority Tamils would be within a "unitary constitution". This was in direct contrast to the stated position of the then President Chandrika Kumaratunga that she was for a federal constitution. Rajapaksa signed agreements with the Marxist Sinhala party JVP and the chauvinistic Buddhist Sinhala party JHU that he would safeguard the unitary character of the country if elected president. Both the JVP and JHU supported him in the election because of this pledge. Rajapakse's election manifesto pledged to uphold the unitary status of Sri Lanka. He was elected president in the November 17, 2005 election. Thus President Mahinda Rajapakse is committed to keeping the Sri Lankan constitution "unitary" in character.

2. President Opts for an "Indian Federal Model"

President Mahinda Rajapakse knows that the Tamil minority would never accept a unitary constitution willingly. So, what was up in the newly elected President's sleeves? In order to impose a unitary constitution on the minority Tamils, he must first defeat Tamil armed resistance; that is, the Sri Lankan military has to defeat the Liberation Tigers of Tamil Eelam (LTTE) militarily and destroy it as a fighting force. In this he had a problem on his hands. Apart from the fact that the Sri Lankan military might or might

not be strong enough to defeat LTTE, if he breaks the ceasefire and starts the war in order to impose a unitary constitution, most foreign governments, including America, Canada, European Union and Japan, could turn against the Sri Lankan government. The Sri Lankan government had successfully lobbied and had LTTE banned in America, Canada and the European Union. While these countries and Japan are putting pressure on LTTE publicly to re-start peace talks, they are also putting considerable pressure on President Rajapakse privately to offer a reasonable peace proposal. None of these countries would consider a unitary constitution a fair proposal. If the president were to insist of a unitary constitution for Sri Lanka, these countries may ease the pressure on LTTE. They may even reach the conclusion that a fair solution meeting the legitimate aspirations of the Tamil people is not possible within a united Sri Lanka. This, the Sri Lankan government fears.

So President Rajapakse has to come up with a federal proposal that is not really federal in character. He has to come up with a federal solution that is federal in name only, but is really unitary in its characteristics. This is the reason for President Rajapakse's interest in a federal model based on the Indian constitution. With so many federal constitutions available around the world, why did he opt for the "Indian federal model"? It fits with his goal of presenting a "**pseudo-federal constitution**" (a "federal constitution" that is primarily unitary in character).

3. Is Indian Constitution Federal?

Although it is generally touted as a federal constitution, Indian constitution is almost a unitary constitution. This is not just the view of this writer; this view had been expressed by many. In fact, the dominant unitary character was recognized by at least some constituent assembly member, some whom were happy about it and some were unhappy about it. Here we give a few quotes from the Indian constituent assembly proceedings of November 22, 1949.

"Our Constitution is more unitary than federal, and from that point of view I think it is a much greater improvement from the time we set about this task." - **P.S. Deshmukh** (This member is obviously for a unitary constitution and is happy that what started as a federal constitution ended up as mostly a unitary constitution.)

"Situated as we are, we wanted to have a federal constitution but we have produced a constitution that is mostly unitary." - **M. Thirumala Rao**

"This constitution envisages a kind of federo-unitary system of government, leaning largely towards the unitary system... I have no doubt a feeling in my mind that it would have been as well that we had started with greater confidence in the people and the States than what we have betrayed in that part of the constitution where we deal with the States and the Provinces." - **Syamanandan Sahaya**

"Even in the circumstances prevailing in India, it is not necessary that the central government should regard the provincial governments as its perpetual wards... We are

trying to usher in an era of full democratic government and yet we begin by distrusting the States on which it will ultimately depend whether democracy succeeds in this country or not. I fear that the central government has taken too much responsibility on itself and that the constitution may, instead of making the state governments realize their responsibility, will discourage them in the performance of their task and make them feel that they are no more than agents of the central government. Such a feeling cannot promote the development of a full sense of responsibility nor can it stimulate the provincial electorates and the legislatures to exercise the supervision that they should in a self-governing country." - **Pandit Hriday Nath Kunzru**

Not only politicians, but political scientists also point to the unitary nature of the Indian constitution. P. Krishna Mukherjee wrote in 1954, "the constitution that emerged out of the August deliberations of the constituent assembly of India in January 1950 is a definitely unfederal or unitary constitution." (**P. Krishna Mukherjee**, "Is India a federation?", The Indian Journal of Political Science, July-September 1954.)

The dominant unitary character of the Indian constitution is not just a matter for political or scientific analysis, it has practical consequences. Most state chief ministers from outside the Hindi-belt region had expressed dissatisfaction at the concentration of power at the central government. There are armed uprisings in many northeastern states, demanding independence. One has to wonder if at least some of these uprisings would not have arisen if the states were given substantial autonomy to run their own affairs.

4. Concluding Remarks

Given the dominant unitary character of the Indian constitution and the dissatisfaction of many state governments about the concentration of power at the central government, the Indian constitution is not even a suitable starting point for Sri Lanka. Sri Lanka should start from scratch or start from a truly federal constitution and build on it.

International community is putting pressure on President Rajapakse to come up with a suitable package of constitutional amendments to meet the legitimate aspirations of the Tamil minority. Rajapaksa who is committed to a unitary constitution, so came up with the Indian constitutional model that is federal in name only but is predominantly unitary in character. USA, Canada, European Union, Japan, Norway and other countries that sincerely want to see a peaceful and just resolution of the ethnic conflict should tell the Sri Lankan government not to play games but engage in the peace process in sincerity.

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13. Senator Biden Solution for Sri Lanka

V. Subramanian

[First Published: December 2007]

[This article is also included in our e-book "United States of America and the Battle for Tamil Eelam" because of its relevance there also.]

Senator Joseph R. Biden, Jr. of Delaware State is a foreign policy expert in the Senate of the United States of America (USA). He chairs the Senate Foreign Relations Committee. He had been advocating the division of Iraq into three autonomous regions under a federal Iraqi government. The three autonomous regions would be the Shiite Region, the Sunni Region and the Kurdish Region. I do not know if Senator Biden had ever said anything about the Sri Lankan ethnic conflict between majority Sinhalese and minority Tamils, but his Iraqi solution could work in Sri Lanka if the Sinhala majority accepts in letter and spirit an autonomous Tamil Region (Tamil Eelam) within a federal Sri Lanka.

Here is a summary of what Senator Joe Biden said about Iraq on ABC Television Network's weekly Sunday morning show "This Week" on October 21, 2007:

"Either you allow one side to beat up the other, occupy the country with large number troops for years and keep the peace between warring parties, allow a dictator to rule and keep the peace or set up a federal system of government with three autonomous regions."

Let us hope that the international community would help end the current ethnic war in Sri Lanka through the last option the senator enunciated.

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14. Prabaharan's Eyeglasses

Thanjai Nalankilli

[First Published: May 2002]

The February 2002 Permanent Ceasefire Agreement between the Sri Lankan Government and the Liberation Tigers of Tamil Eelam (LTTE) was a major news item in many newspapers and other news media. Photograph of the LTTE leader Velupillai Prabaharan signing the agreement was flashed around the world. A few newspapers noted that Prabaharan was wearing eyeglasses (reading glasses) when he was signing the document. **Do you know that a pair of eyeglasses played a role in the liberation war in another country in another era?**

Roll back the clock over 200 years. Move several thousand miles across the sea from the Island of Sri Lanka. There was an armed freedom struggle (liberation war) going on against a colonial government. The soldiers and officers of the liberation army were not paid for several months. There were murmurs at first. Then there was talk of rebellion against the leadership amongst the officers. Commander of the liberation army wrote out a speech explaining the reasons why he was unable to pay them. He called in all the officers. The General went before them, took the written speech out of his pocket and started reading it. But he had difficulty reading. So he reached into his pocket and took out a pair of eyeglasses (reading glasses). The officers had never seen him wear glasses before. As he was putting on the glasses, he said, "I am already gray, in the service of my country. Now I am going blind too!" As he said that, tears swelled in the eyes of some of the officers. Historian Richard Norton Smith puts it thus: "rebellion melted into tears". There was no more talk of rebellion. The liberation war continued and they won independence. [When the General said, "I am going blind", he did not mean literally going blind; he meant hard to read. He went on to serve his country many more years.]

That Commander was General George Washington, father of the United States of America.

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15. Where is Praying for Prabaharan a Crime?

Jaganathan Muralidharan

[First Published: March 2001]

[This article is also included in our e-book "Tamil Nadu and the Battle for Tamil Eelam" because of its relevance there also.]

Where is praying for Velupillai Prabaharan a crime? Is it in Sri Lanka where the Liberation Tigers of Tamil Eelam (LTTE), which Prabaharan founded and leads, is fighting the Sri Lankan army for minority Tamil rights? No, to our knowledge no one was ever arrested there on charges of praying for Prabaharan.

It is in India! Praying for Prabaharan seems to be a crime in India. On November 25, 2000, Mr. Somasundaram was arrested for offering a prayer for Prabaharan on his birthday at the Muthalamman Temple in Tamil Nadu, India. Somasundaram is a member of Tamil National Movement (Thamizh Thesiya Iyakkam). In May 2000, Tamil National Movement leader Nedumaran and 250 people were arrested in Tamil Nadu for organizing a conference to tell the people of Tamil Nadu about LTTE's legitimate struggle in Sri Lanka. It seems that the Indian Government and its puppet Tamil Nadu State Government would not allow anyone to present LTTE's case not only to the people of Tamil Nadu but also to the gods themselves!

The Indian Government, controlled by Hindi politicians, has done everything it could to prevent LTTE from winning its armed struggle against the oppressive Sinhalese, Sri Lankan Government. In April-May 2000, the Indian Government placed a naval armada close to Jaffna to evacuate over 30,000 Sri Lankan soldiers almost encircled in Jaffna by LTTE and facing surrender. It also provided logistical support to the Sri Lankan Navy and Air Force covertly. The same year it sold a modern warship, complete with air capabilities, to the Sri Lankan Navy in an effort to weaken LTTE's naval might. It also gave Sri Lanka 100 million US dollars in soft loan to alleviate the expenses of the war against minority Tamil fighters (LTTE). All these were not enough, now it would not even allow people to pray for the Tamil leader lest the gods themselves help the long-suffering Tamil minority of Sri Lanka!

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16. Sri Lankan President Rajapaksa Jokes about LTTE Leader Prabhakaran's Death

T. Arumugam

[First Published: March 2010]

[This article is also included in our e-book "Tamil Nadu and the Battle for Tamil Eelam" because of its relevance there also.]

Abbreviations

DPI - Dalit Panthers of India (also known as VCK)

IDP - Internally Displaced Persons

LTTE - Liberation Tigers of Tamil Eelam

MP - Member of Parliament

VCK - Viduthalai Chiruthaikal Katchi (also known as DPI)

A delegation of ten members of Indian parliament from Tamil Nadu went to Sri Lanka in October 2009 on a four-day visit to Tamil internally displaced persons camps (IDP camps) and other Tamil areas. They also met Sri Lankan President Mahinda Rajapaksa on October 13, 2009. One of the delegates was Viduthalai Chiruthaikal Katchi (VCK) leader Thol Thirumavalavan. He held LTTE leader Prabhakaran in high regard and his party cadres often carried large photographs of Pirabhakaran in some of his party rallies in support of Sri Lankan Tamils. When Thirumavalavan was introduced to President Rajapaksa, the latter said, "Had you been with Prabhakaran during the war, you would have died too. I would not have the opportunity to meet you." [Sri Lankan army shot and killed Prabhakaran in the final days of the fourth phase of the ethnic war (Eelam War 4).]

When reporters asked about it after Thirumavalavan returned to Tamil Nadu, he answered, "Rajapaksa said that as a joke and I also took it as a joke." If it is a joke, it is in very bad taste. May be Mr. Thirumavalavan should have responded with an equally bad joke. Here is a suggestion: "Too bad Tamil Nadu does not have its own military. Otherwise, with your navy having shot and killed hundreds of Tamilnadu fishermen in the sea, your head would have been hoisted at the point of a spear at the gates of Madurai. I would not have the opportunity to meet you here." **I know that it is a "joke" in very bad taste** but no worse than what President Rajapaksa said. [Madurai is a city in Tamil Nadu. Historically it was the capital of Padiya Nadu, one of the three Tamil kingdoms in Tamil Nadu.]

There is a historical background to "head hoisted at the point of a spear at the gates of Madurai" reference in the preceding paragraph. During the reign of Rajathi Raja Cholan II over Chola Nadu (1163 - 1179), one of the three Tamil kingdoms, Sinhala king Parakramabahu sent an army under the command of a Sinhala General, Lankapura, at the invitation of a Pandiya prince to help him over a dispute for the throne of Pandiyan

kingdom. The Sinhala army captured the coastal town of Rameshwaram and damaged the famed Hindu temple for Lord Sivan (Lord Siva), and then marched inward into Tamil Nadu looting and burning villages. Rajathi Raja Cholan II sent his army under General Pallavarayan (Pallavarayar) to confront the Sinhala army. Pallavarayan defeated Lankapura, captured him and beheaded him. The severed head was hoisted on a spear at the gates of Madurai, the Pandiyan capital. Thus ended the incursion of Sinhala army into Tamil Nadu.

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17. Did Sri Lanka Defeat Terrorists or a Conventional Military Force in 2009?

Thanjai Nalankilli

[First Published: April 2012]

Ever since the Sri Lankan military defeated the Liberation Tigers of Tamil Eelam (LTTE) in 2009, the Sri Lankan government has been telling everyone who would listen that Sri Lanka is the only country that has defeated terrorists. It even organized a seminar for foreign militaries on how to defeat terrorism. Some countries even attended this seminar.

Did it really defeat terrorism? Sri Lankan military defeated the LTTE which was no longer engaged in terrorism; may be they were engaged in it in earlier years. At least during the final war that ended in 2009, it fought as a conventional military with its own army, organized like any national army, a moderate sized navy capable challenging and at times besting the Sri Lankan Navy, and even a tiny air force. During the final months of the war, it did not even fight like a guerrilla force engaged in hit and run attacks. Instead it fought as a conventional military force engaged in direct combat. (I have often wondered why it did not revert to guerrilla warfare. In fact the Sri Lankan military expected it to do so and calculated that it would take a few more years to destroy the Tamil Tigers, as LTTE was popularly known. Instead the collapse of LTTE was sudden and swift because it did not revert to guerrilla warfare.)

Look at the final months, weeks and days. LTTE did neither resort to guerrilla tactics nor terrorist attacks. There was not a single act of terrorism reported in newspapers in these final days. How did LTTE's Tiger Air Force use its last aircraft? Was it sent to bomb civilian targets? No. It could have easily bombed a crowded market or a movie theater to kill civilians. That is what terrorists would have done. Instead the final air attack targeted military assets only. It was easier to bomb civilian targets because they were not protected by anti-aircraft guns and radars whereas key military targets were.

Sri Lankan Air Force, on the contrary, targeted areas of civilian concentration in the final weeks of the war (as the United Nations Panel of Experts (UN Panel of Experts) concluded in 2011).

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18. A Question about the Sri Lankan Ceasefire (2002)

Thanjai Nalankilli

[First Published: July 2002]

Even after a ceasefire agreement was signed and is in effect since February 2002 between the Sri Lankan military and the minority Tamil militant group, the Liberation Tigers of Tamil Eelam (LTTE), the Sri Lankan military seems to be buying (or planning to buy) military equipment from abroad. At the same time the Sri Lankan Navy has shot at LTTE vessels allegedly bringing in weapons. It seems that the military can acquire new weapons but the LTTE cannot. This, in my opinion, creates an "**unstable ceasefire situation**" that does not bode well.

A ceasefire is generally agreed by warring parties when there is a military stalemate. Military capabilities are almost evenly matched and neither party expects to win the war in the near future. If, however, during the ceasefire, one party can increase its force by acquiring new weapons and the other is prohibited to do so, sooner or later the former gains a decisive military advantage. Once the military balance has tipped decisively, the stronger party thinks that it could win the war and scuttles the ceasefire and peace talks. Thus the end of ceasefire and back to blood letting. Another scenario is that the party that is prevented from acquiring new weapons watches with concern the other side acquiring weapons and gaining in strength. Before the military balance tips dangerously against it, it decides to end the ceasefire and goes back to war. Thus the end of the ceasefire and peace talks. Back to blood letting. Is one of these scenarios developing in Sri Lanka?

As a concerned Tamil from Tamil Nadu, the current situation alarms me. It is time now to rectify the imbalance and stabilize the ceasefire. I would like to see peace come to the tiny island, and the horrors and sufferings of the past quarter of a century end once and forever.

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19.

Boycott the TamilNet-2000 Conference in Sri Lanka

Inia Pandian

[First Published: November 1999; Updated: March 2000]

OUTLINE

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3. Sri Lankan Hypocrisy
4. My Conscience would not Allow me to Attend this Conference in Sri Lanka
5. An Appeal to Tamil Internet Scholars and Tamil Political Leaders

1. Introduction

Four months ago I came across an Internet Newsgroup posting that the next TamilNet Conference that discusses and sets standards for computerization and Internet usage of Tamil will be held in the Sri Lankan capital Colombo. I thought that it was a sick joke because I could not even conceive that a major international Tamil Conference would be held in a country (Sri Lanka) that is bombing, shelling, starving, raping, torturing and simply making the life of Tamil civilians a hell on earth. So I double-checked another source and found that it was true. Though it confirmed what I read on the Newsgroup, I still could not bring myself to believe that any Tamil would agree to hold an important international Tamil Conference such as TamilNet-2000 in Sri Lanka where large numbers of Tamil civilians are systematically starved, denied medicine, denied schooling and denied the very basic needs for living. Then I read in a newspaper that TamilNet-2000 Conference will, indeed, be held in Sri Lanka. On reading this, now I had no doubt about it, I had a mixture of emotions--anger, astonishment and anguish.

2. Sri Lankan Propaganda Bonanza

Would the Jews have held an International Jewish Cultural Conference in Berlin (Germany) in the 1930s when the Nazis were engaged in programs against the German Jews? No, it is simply inconceivable. Would the Albanians have held an International Albanian Cultural Conference in Belgrade (Yugoslavia) in early 1999 when minority Albanians living in the Kosovo Province of Yugoslavia were systematically raped, murdered and driven out of their homes? No, inconceivable. But, alas, a major international Tamil Conference is scheduled to be held in Sri Lanka even as the Sri Lankan military, special forces and police are making life a living hell for Tamil civilians.

We very well understand the Sri Lankan government's eagerness to hold this high-visibility conference in Sri Lanka. Of course, the maximum media coverage will be given to this gala event. Now the Sri Lankan government can go around the world and say, "We

are not discriminating against the Tamil people. We are even hosting the TamilNet-2000 Conference in our country. How can anyone think that we are discriminating against the Tamil people?" This is a propaganda bonanza for the Sri Lankan government. We understand the Sri Lankan government's motivation. But why did the organizers of the Conference agree to hold it in Sri Lanka? Surely they know what is happening to Tamil civilians there! Then why did they accept Sri Lankan government's invitation to hold the conference in Sri Lanka?

3. Sri Lankan Hypocrisy

The only reason the Sri Lankan government is hosting the TamilNet-2000 Conference is the high-visibility of the conference and its propaganda value. **If the Sri Lankan government really wants to do something for Tamil development, let it spend the money allocated for hosting the TamilNet-2000 Conference to one or more of the following urgent needs**

1)

In 1981 the Sinhalese burned down the Jaffna Library. This was not just another library. It contained many rare, irreplaceable Tamil manuscripts and they were burned to ashes. The library is not rebuilt even after 18 years. Jaffna library was not just a library, it was the cultural symbol of the Tamil people in the Sri Lankan island. When the Holy Tooth Buddhist Temple, which is a cultural and religious symbol of the Sinhalese people, was partially damaged in 1998 in a bomb attack (allegedly by Tamil terrorists), the Sri Lankan government was quick to fund the repair of the temple and the work was done in less than a year. How come the Sri Lankan government is short of funds to rebuild the Tamil cultural symbol, the Jaffna library, even after 18 years? The World Trade Center in Colombo was partially damaged by a bomb (allegedly by Tamil terrorists) in 1997 and the Sri Lankan government immediately repaired it and even paid compensation to some of those affected. How come the Sri Lankan government is short of funds to rebuild the Jaffna library even after 18 years? I say, "Spend the money to **rebuild and restock the Jaffna Library first**, before hosting the high-publicity TamilNet-2000 Conference". Of course the Sri Lankan government would not reap a propaganda bonanza by rebuilding the library as it would by hosting this international conference in front the media. If the Sri Lankan government is not after a propaganda coup, let it rebuild the Jaffna Library first.

2)

Hundreds of schools in Tamil areas under Sri Lankan army control were destroyed by Sri Lankan Air Force bombing and Sri Lankan Army shelling, and they remain in ruins even after some 4 years. Many other schools are occupied by the Sri Lankan army. Thus tens of thousands of Tamil children are without schools. According to a survey conducted between November 1997 and May 1998, **one-fifth of the Tamil children in Jaffna cannot attend school**. The situation has not changed. Why are the ruined schools not repaired even after 4 years? Why are soldiers still camped in school buildings? Is it because the Sri Lankan thinks that Tamil children do not deserve schooling? Then what a hypocrisy it is to host the TamilNet-2000 Conference? If the reason is lack of funds to

repair schools, then spend the money allotted for the TamilNet-2000 Conference to repair the schools. Schools for our children are more important than this conference that can be held elsewhere.

3)

According to reports coming from Tamil areas under Sri Lankan army control, even for students who have a school to go to, there are not enough Tamil textbooks. In Sri Lanka, it is the government's responsibility to supply textbooks. It has provided only 40% of the books it is obliged to give to the Tamil children there. What a hypocrisy it is to spend money on the high-visibility TamilNet-2000 Conference instead of spending it on printing the necessary textbooks for the Tamil children.

4)

Sri Lankan government is blocking school supplies (such as chalks) and books from going into Tamil areas under LTTE control. (LTTE - Liberation Tigers of Tamil Eelam) Even donations of mats (for children to sit on) paid for by international humanitarian agencies are blocked. Thus tens of thousands more Tamil children are unable to get proper schooling. Will the Sri Lankan government explain why chalks, books and mats are embargoed into LTTE-controlled areas? Is it because the Sri Lankan government thinks that an educated Tamil is a threat to majority Sinhalese hegemony over minority Tamils? It is total hypocrisy to host the TamilNet-2000 Conference while preventing Tamil children from getting an education.

5)

It is estimated that 65000 more children in refugee camps are unable to attend schools. It is an epitome of hypocrisy to host the TamilNet-2000 Conference while denying education to so many Tamil children. First thing first. **Do whatever is necessary to provide schooling to the Tamil children** before holding gala Tamil Conferences before the press and video cameras for international publicity and propaganda.

4. My Conscience would not Allow me to Attend this Conference in Sri Lanka

Personally, however important the TamilNet-2000 Conference is, I simply cannot make myself to attend this conference in Sri Lanka at a time when the Sri Lankan government is making the lives of Tamil civilians a living hell.

I am sure that Tamil attendees to the conference will be well treated by the Sri Lankan government. The government will offer plentiful and sumptuous food to those attending the conference. But how can I eat that food knowing that at the very same time tens of thousands of my Tamil brothers and sisters--from young children to aged elders--are starving because this Sri Lankan government is systematically and callously denying food to them.

If I get sick when I am attending the conference, I am sure that the Sri Lankan government will provide the best medical treatment available in the country. But how can I accept that treatment knowing that at the very same time this self-same Sri Lankan

government is systematically and callously denying even the very basic medical supplies to tens of thousands of Tamil civilians.

I am sure that I will not be harassed by Sri Lankan security forces when I am in Sri Lanka for the conference. But I know that at the very same time many hundreds of Tamils are detained without cause or court orders just because they are Tamils; worse still many of them will be tortured and some even murdered with impunity. If only I am not attending this conference in the full view of the press, media and cameras, I know that I could be detained, tortured and even murdered by the Sri Lankan security forces with impunity because I am a Tamil and Tamil life has very little value in Sri Lanka. Of course **I will not be touched because of the presence of the press and the cameras.** The dark deeds of torture, rape, mutilations and murders are carried out by the Sri Lankan police, special forces and the soldiers in the darkness of censorship and news blackout--not in the presence of the press. Will the Sri Lankan government allow the press and the media invited for the conference to visit Tamil areas under army control on their own (without soldiers surrounding them) so that they can go wherever they want without hindrance and observe for themselves how miserable the lives of Tamil civilians are and hear for themselves what the Tamil people have to say about the Sri Lankan government?

5. An Appeal to Tamil Internet Scholars and Tamil Political Leaders

In view of the current plight of Tamil people in Sri Lanka and the indignities and sufferings thrust on them by the Sri Lankan government, I appeal to all Tamil Internet scholars and Tamil political leaders around the world to boycott the TamilNet-2000 conference scheduled for March 2000 in the Sri Lankan capital Colombo. Developing Tamil for the Internet age and setting standards for Internet usage are, of course, important to the future of the Tamil language and the Tamil race. But attending this conference in Sri Lanka where the Sri Lankan government has made the life of Tamil people a living hell is a betrayal of our brothers and sisters there.

I am from Tamil Nadu but I feel their pain and empathize with their anguish. To me, **walking the corridors of the conference halls in Sri Lanka is like stepping on the 50000 or so Tamil civilian corpses killed by Sri Lankan security forces.** After that, how can I sleep at night in the feather beds in the luxury hotel room reserved for the TamilNet-2000 attendees by the Sri Lankan government? Speaking of sleeping in the comfort of the luxury hotel room in Sri Lanka, it is the same Sri Lankan government that refused permission to foreign refugee relief agencies to help Tamil refugees just a few years ago, that resulted in tens of thousands of Tamil civilians sleeping in the open without a roof in the hot sun or pouring rain; many young Tamil mothers actually **gave birth to Tamil babies in open fields without a roof over their heads.** Even today many thousands of Tamil refugees live in camps where there is no roof. I say to the Sri Lankan government, "Put a roof over my people, then host the conference and invite me".

Again, I appeal to Tamil Internet scholars and Tamil political leaders not to participate in this conference in Sri Lanka. Don't be an unwitting pawn in this propaganda fiesta the Sri Lanka is staging to play to the world community that it treats its Tamil minority fairly,

even hosting an international Tamil conference. However important the TamilNet Conferences are, we should boycott the TamilNet-2000 Conference in Sri Lanka and continue with TamilNet-2001 elsewhere as if Tamil Net -2000 never happened.

UPDATE

March 2000: Conference organizers postponed the date of the conference by a few months and also moved the conference from Sri Lanka to Singapore.

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